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STORMWATER POLLUTION PREVENTION PLAN

for

**BEN WEITSMAN OF SYRACUSE, LLC
333 Bridge Street
Town of Geddes
Onondaga County, New York**

Prepared for:

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INTRODUCTION

This Stormwater Pollution Prevention Plan (SWPPP) was prepared for this facility under the New York State Department of Environmental Conservation (DEC) State Pollutant Discharge Elimination System (SPDES) Multi-Sector General Permit. This Plan also addresses specific requirements of Sector M – Automobile Salvage Yards and Sector N – Scrap Recycling and Waste Recycling Facilities, as applicable. A copy of the General Permit is attached as *Appendix A*. The DEC was notified of the intent to be covered under the terms of this permit through submittal of a Notice of Intent (NOI) form, which is attached as *Appendix B*.

1.0 POLLUTION PREVENTION TEAM

The Pollution Prevention Team is shown on *Table 1*. The pollution prevention team leader has overall responsibility to ensure this Plan is adhered to in daily operations. The team leader also has the responsibility to assign specific personnel the responsibility to:

- Perform monthly inspections and document them in a logbook.
- Respond to spills.
- Perform discharge sampling.
- Maintain an adequate supply of spill response equipment.
- Complete cleanups for spill events.

Personnel assigned to perform regular SWPPP inspections and Comprehensive site evaluations shall receive four hours of the DEC endorsed training in erosion and sediment control principles according to Part III.c.7.B. of the General Permit.

2.0 SITE DESCRIPTION

2.1 General Site Description

The facility is located as shown on *Figure 1 – Site Location Map*. The facility is a metal scrap recycling facility. Operations include metal sorting and hauling. These operations are mainly classified under the Standard Industrial Classification (SIC) Code 5093 for scrap and waste recycling facilities for ferrous and non-ferrous metal recovery.

The facility infrastructure is shown on *Figure 2 – Site Plan*.

2.2 Receiving Waters

Surface water outfalls at the site and their discharge destinations are shown on *Figure 2*. For facilities discharging to a municipal separate storm sewer system (MS4), the owner/operator of the MS4 and contact information are included on the Emergency Contacts list in the front of this SWPPP.

2.3 Other SPDES Permitted Discharges

The facility holds no other SPDES permits.

2.4 Impervious Surface Estimate

The approximate area of the site covered with impervious surfaces is shown on *Figure 2*.

3.0 POTENTIAL POLLUTANT SOURCES

The following sources have the potential to impact surface water quality.

- Metal scrap piles.

- Dismantling areas.
- Heavy machinery to move / process metal scrap.
- Aboveground petroleum storage tanks and drums.
- Parking areas for vehicles awaiting maintenance.
- Fueling areas.
- Vehicle fluid recovery operations.
- Railcar shipment line and weigh station (if present).
- Truck weighing station(s).
- On-site waste disposal or storage.

Facility operations place metal scrap on the ground surface in piles for storage prior to separation and loading. Heavy machinery is used to move and process scrap. Light to heavy-duty trucks deliver to the facility. Heavy-duty trucks pick up scrap. Rail (if present) is used for pickup of scrap. Recovered metal is shipped to other facilities for additional processing or sale. Sediment and oils leached from metal scrap are the most likely contaminants to migrate with stormwater.

4.0 SPILLS AND RELEASES

Spills or releases are recorded in *Table 2*.

5.0 SAMPLING DATA

Sampling data is summarized in the Sampling Data Summary Log attached as *Appendix C*.

6.0 STORMWATER CONTROLS – BEST MANAGEMENT PRACTICES

Best management practices (BMPs) are applied to minimize the potential release of contaminants to stormwater. All applicable BMPs are listed in *Table 3*. The BMPs employed to satisfy the General Permit, Sector M, Sector N, Subsector N-3 and Subsector N-4 requirements for controls to limit stormwater impacts and for facility personnel to recognize and respond to events that could lead to significant stormwater releases are discussed below.

6.1 Non-Structural BMPs

The non-structural BMPs described in this section are practiced through adherence to standards of practice (SOPs). These BMPs meet the General Permit special conditions of Section II, Sector M, Sector N, Subsector N-3 and Subsector N-4 requirements, as applicable.

6.1.1 Good Housekeeping

The facility operates a metal scrap yard where metals and heavy machinery are exposed to stormwater. Facility personnel address non-routine oil spills, leaks and releases. The following general activities are performed to reduce the potential for releases to stormwater.

- Trash containers are emptied weekly.
- Storage areas, loading docks and high traffic areas are kept free of waste.
- Containers are inspected routinely for leaks or damage.
- Routine sweeping of paved roadways.

6.1.2 Minimization of Activity Exposure to Precipitation

The facility minimizes exposure to stormwater by limiting outdoor activity, to the extent possible, associated with heavy equipment.

- Equipment maintenance is done inside, whenever possible, to prevent exposure to precipitation.
- Some metals separation is done inside.
- Materials and equipment used for repairs and industrial activities are stored inside.
- Scrap metal piles are to be kept out of wet areas.

6.1.3 Spill Prevention and Response Procedures

Employees are trained in spill reporting and response procedures. The facility maintains spill containment supplies for use in the event of a spill. Employees know the locations of spill response equipment and this SWPPP document, and whom to contact on the pollution prevention team when a release occurs. In the event of emergency such as fire or injury, employees will call 911 and notify all personnel to move to a safe location. A Spill Prevention, Control and Countermeasure (SPCC) Plan has also been prepared for the facility (applicable if total aboveground oil storage exceeds 1,320 gallons). Facilities discharging into or through an MS4 must notify the owner/operator of the MS4 within two hours of a spill/release of a hazardous substance or petroleum.

6.1.4 Inspection and Maintenance

The yard, garage, weigh scales, vehicle fluid recovery (Enviro-Rack), tanks and containment pad areas will be inspected monthly to check for leaks or drips of oil. If a release is observed, cleanup will be performed. This information will be recorded on a Monthly Inspection / Maintenance Log provided in *Appendix D*. Deficiencies noted during these inspections must be corrected immediately. However, where repairs are required, reasonable effort will be made to complete repairs before the next anticipated storm event, whenever possible. If repair before the next storm event is impractical, the repair will be made within 12 weeks, unless a written waiver to extend the repair completion time beyond 12 weeks is obtained in writing from the DEC.

6.1.5 Inbound Recyclable and Waste Material Control

Information is provided to customers addressing:

- Draining and proper recycling/disposal of residual fluids prior to delivery of scrap products to the facility.
- Removal and proper recycling of mercury containing components and switches, refrigerants, PCB capacitors and lead.
- Which scrap metals are not accepted at the facility or only accepted under conditions specified in the flyer.

6.1.6 Supplier Certification

A procedure has been adopted that requires scrap suppliers to sign a statement indicating fluids have been removed from scrap prior to delivery to the scrap yard. Vehicles are inspected to verify fluids have been removed. Vehicles accepted with fluids are taken to the Enviro-Rack for draining of fluids. The signed statement indicates the following:

- Freon has been properly removed from scrap received.
- Mercury-containing components and switches, refrigerants, PCB capacitors and lead have been properly removed.

6.1.7 Inbound Recyclables Inspection

Personnel inspect inbound material to check that fluids are removed prior to accepting scrap at the facility. Fluids of interest include gasoline, oils, coolant, mercury, PCBs and refrigerants. In addition, operators are trained on how to inspect scrap brought to the yard. Vehicle hoods are opened to inspect all reservoirs. Gas tanks, if present, are verified empty.

If scrap contains liquids, is leaking liquids or contains any unauthorized material, the facility will direct the supplier to clean up the scrap or reject it. All end of life vehicles are placed on the Enviro-Rack to check for fluids and any residual fluids are drained and containerized.

6.1.8 Lead-Acid Batteries

Lead-acid batteries, if present, are removed from vehicles and palletized. Full pallets are shrink-wrapped for shipping. Leaking batteries are containerized. Batteries are stored inside until palletized and shrink-wrapped.

6.1.9 Outdoor Storage Control

Uncovered stockpiles are located in paved and unpaved areas. Runoff from these areas flows to the stormwater collection and treatment facilities, if present.

6.1.10 Turnings Stockpiles

Turnings received are stored on a concrete pad with a containment dike and a drainage collection system or otherwise stored in watertight roll-off containers covered with tarps. Accumulated liquids are hauled off-site for proper disposal.

6.1.11 Indoor Material Stockpiles

Certain recovered metals awaiting processing or off-site shipment are stored in heavy-duty cardboard boxes or in drums.

6.1.12 Loading/Unloading Areas Spill Prevention and Response

Liquid containing drums are stored indoors and away from exposure to stormwater. Drums, where appropriate, are stored on containment pads. Aboveground fuel storage tanks are

equipped with overfill prevention devices. Dry absorbents are stocked by the facility for use in the event of liquid spills or leaks. The Environmental Coordinator is tasked with routine inventory of spill response equipment and reordering of supplies, as needed.

The potential sources of spills or leaks are the hydraulics of heavy machinery used to move and separate scrap, metal turnings, scrap that may contain fluids, transportation vehicles and equipment fueling activity. The operators are trained to inspect incoming loads prior to unloading to identify potential releases before they occur. In the event a spill occurs, facility operators implement spill response actions and notify the Environmental Coordinator of the incident.

6.1.13 Maintenance

Equipment is maintained in good working order. Mechanics at the facility perform maintenance on heavy machinery indoors, where possible. In cases where equipment cannot be brought inside, maintenance is performed outdoors.

6.1.14 Employee Training

Annual training on stormwater pollution prevention is presented to employees and a log of attendance retained. This training educates employees on proper material handling, transfer, storage, inspection and housekeeping activities to prevent the discharge of solid or liquid contaminants to surface water. Training topics address employee responsibility to supervise material transfer operations and conduct inspections of material storage and loading/unloading areas. The goal is to train employees to recognize deficiencies that could lead to releases and bring them to the attention of supervisors for correction. A log of employees who attend annual training is maintained in *Appendix E*. The following topics are addressed in annual training.

- Overview of SWPPP and environmental impact of a release.
- Pollution prevention team members and responsibilities.
- Periodic inspection requirements and system elements to be inspected, including storage tank and vicinity, containment integrity, transfer pumps and lines, tanker truck unloading area for delivery truck spills/leaks, inventory of spill response equipment and procedure for reorder of spill response equipment when inventory falls below pre-set level.
- Inbound recyclables receiving procedures and the proper management of lead acid batteries, mercury containing parts and PCBs.
- Fueling procedures and proper handling of all fluids.
- Spill response procedures, and location and proper use of spill response equipment.
- Prohibition of the practice of hosing down shop floor and the use of dry cleanup methods.
- Condition and maintenance needs of stormwater controls.
- Logbook procedures for recording spill cleanup activities.
- Sampling requirements and procedures (quarterly visual, annual dry/wet weather).
- Overview of SWPPP recordkeeping requirements.

6.2 Structural BMPs

The structural BMPs constructed at this facility are listed in *Table 3*.

7.0 REQUIREMENTS FOR PREVENTION OF MATERIAL RELEASE

7.1 Secondary Containment Discharge Operation and Screening

Before discharging stormwater from the secondary containment around the fuel tanks, if present, the stormwater will be visually inspected. If any indicators of contamination are present, the water will be hauled to an off-site disposal facility. After a spill cleanup, samples must be collected from the first discharge of accumulated precipitation water from the secondary containment and results of the following parameters must be recorded in the logbook:

- pH
- Estimated drainage volume based on liquid depth in the containment
- Substance(s) stored within the containment area or any other pollutants the owner or operator believes might be present

7.2 Spill Cleanup

Small petroleum spills into the secondary containment, if present, will be cleaned up with absorbent materials. For larger spills, an environmental contractor will be called to take appropriate cleanup action. Spill response and cleanup procedures are further outlined in the SPCC Plan.

8.0 MONITORING AND SAMPLING REQUIREMENTS

The table below summarizes monitoring and sampling requirements.

Monitoring Type	Frequency	Method	Sampling Conditions
Visual	Quarterly	Document color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and any other obvious pollution indicators.*	Perform within 30 minutes of start of storm event of ≥ 0.1 inches preceded by 72 hours without precipitation. Perform in daylight hours in well lit area. When possible, assign task to same person for permit term (5 years).
Dry Weather Flow	Annual	Monitor for presence of non-stormwater discharges to stormwater drainage system.	Perform after three consecutive days without precipitation.
Benchmark Grab Sampling**	Annual	(See table below)	Perform during storm event of ≥ 0.1 inches preceded by 72 hours without precipitation.
Storm Event Data (Visual, Benchmark)	(See above)	Document date, duration of storm event, measurement of rainfall (in inches), duration between preceding precipitation event and the current storm event, and estimate of total event discharge volume.	Record data at time of visual and benchmark sampling.***

* If visual monitoring indicates the presence of stormwater pollution, actions to implement structural or non-structural BMPs must be taken to remedy the problem. Following the implementation of the corrective actions, an additional sample must be collected during the first qualifying storm event, if practicable, but no later than 12 weeks. Additional time may be requested, in writing, from the DEC. Revise SWPPP, if needed.

** Sector N, Subsector N-3 and Subsector N-4 Benchmark Sampling – Scrap Recycling/Waste Recycling Facility and Shredder requirements. Sector M benchmark sampling requirements are included in Sector N.

*** If a qualifying precipitation event does not result in an outfall discharge, documentation is required to demonstrate that monitoring was attempted.

The table below summarizes Sector M, Sector N and Subsector N-3 benchmark sampling requirements.

Pollutants of Concern	Analytical Method	Benchmark Monitoring Cut-Off Concentration
Total Suspended Solids (TSS)	EPA 160.2	100 mg/L
Chemical Oxygen Demand (COD)	EPA 410.4	120 mg/L
Oil and Grease	EPA 1664 or EPA 1664A	15 mg/L
Total Recoverable Aluminum	EPA 200.7	750 µg/L
Total Recoverable Cadmium	EPA 200.7	1.8 µg/L
Total Chromium	EPA 200.7	1.8 mg/L
Total Recoverable Copper	EPA 200.7	12 µg/L
Total Recoverable Iron	EPA 200.7	1 mg/L
Total Recoverable Lead	EPA 200.7	69 µg/L
Total Recoverable Zinc	EPA 200.7	110 µg/L
Benzene	EPA 602	50 µg/L
Ethylbenzene	EPA 602	50 µg/L
Toluene	EPA 602	50 µg/L
Xylene	EPA 602	50 µg/L

The table below summarizes additional numeric effluent limitations requirements for facilities under Sector N, Subsector N-4 (Shredder):

Pollutants of Concern	Analytical Method	Numeric Effluent Limitations (Daily Maximum)
Total Mercury	EPA 1631	50 ng/L
PCBs	EPA 608	200 ng/L per Aroclor*

* Required for Aroclors 1016, 1221, 1232, 1242, 1248, 1254 and 1260. If 65 ng/L per Aroclor or more is detected, owner or operator shall make adjustments to their BMPs.

If benchmark exceedance was indicated for one or more of the above pollutants, the owner or operator must evaluate the potential source(s) of contamination. Corrective and follow-up actions must be documented and the SWPPP must be revised in accordance with Section III.E. An additional sample must be collected at the outfall where the exceedance occurred to determine the effectiveness of the corrective actions. Analysis of the pollutant(s) that exceeded the benchmark cut-off concentration must be completed during the first six months of the following calendar year. Results of the analysis must be reported on the Corrective Action Form / Non Compliance Event Form (*Appendix L*) by July 31st.

Numeric effluent limitation exceedance is a permit violation. In addition to the above-mentioned steps, a Report of Noncompliance Event Form (*Appendix M*) must be submitted to the DEC with the Discharge Monitoring Reports (DMRs).

In accordance with Section IV.B.1.g, if the facility discharges into an impaired waterbody and the cause of impairment is a pollutant of concern included in the above benchmark requirements, Corrective and follow-up actions must be documented and the SWPPP must be revised, if necessary. Results of the exceedance(s) and corrective action(s) taken must be reported on the Corrective Action Form / Non Compliance Event Form (*Appendix L*), provided by the DEC, no later than 14 days following the end of the monitoring period in which the exceedance(s) occurred. If the facility is subject to this requirement, the pollutants of concern will be noted in the Sampling Data Summary Log (*Appendix C*).

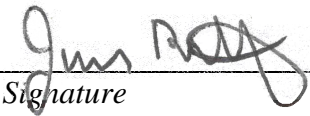
If corrective actions at the facility do not result in achieving benchmark monitoring cut-off concentrations and/or effluent limitation guidelines, the facility must continue efforts to implement additional BMPs. Failure to undertake and document the review and/or take the necessary corrective actions are violations of the permit.

Continued exceedance of benchmark cut-off concentrations and/or effluent limitations guidelines for discharges to impaired waterbodies may identify facilities that would be more appropriately covered under an individual SPDES permit.

9.0 CERTIFICATIONS

9.1 Facility Certification

I certify under penalty of law that this document and attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<u>James Rothenburg</u>	<u>General Manager</u>
<i>Name</i>	<i>Title</i>
	<u>September 29, 2017</u>
<i>Signature</i>	<i>Date</i>

9.2 Documentation of Permit Eligibility Related to Endangered Species

This facility has not expanded its perimeter of operations. Therefore, per Section III.C.8 of the General Permit, no endangered species documentation requirements apply.

9.3 Documentation of Permit Eligibility Related to Historic Places

This facility has not expanded its perimeter of operations. Therefore, per Section III.C.9 of the General Permit, no historic places documentation requirements apply.

9.4 Certification of Non-Stormwater Discharge

Outfalls have been evaluated for the presence of non-stormwater. *Appendix F* contains a certification addressing the elements required by Section III.C.7.f of the General Permit.

10.0 SALT PILE COVERAGE

This facility does not maintain a salt storage pile.

11.0 ANNUAL COMPREHENSIVE COMPLIANCE INSPECTION EVALUATION

Per Section IV.A, annual compliance evaluations of the facility must be performed by a qualified person (i.e. employee knowledgeable in plan requirements) or an outside consultant. An Annual Compliance Inspection and Evaluation Report is provided in *Appendix G*. The evaluation must include the inspection of steps implemented to reduce the potential impact to surface water from the following:

- Industrial processes residue or emission.
- Leaks/spills from equipment drums, barrels, tanks or other containers.
- Off-site tracking of industrial materials or sediment where vehicles enter or exit the facility.
- Unauthorized stormwater discharges.
- Tracking/blowing of raw, final or waste materials from non exposure areas to exposed areas.

Based on this evaluation, follow-up action identified as necessary to maintain the pollution prevention aspect of this Plan must be completed and this SWPPP modified, as necessary. The Annual Compliance Evaluation Report must be made and retained as part of the SWPPP for at least five years from the date the permit coverage expires.

12.0 REPORTING REQUIREMENTS

All laboratory analytical results obtained from benchmark sampling performed in accordance with Sector N requirements must be reported on DMR forms provided by the DEC. A repository for copies of laboratory reports is provided in *Appendix K*. Performance of all required monitoring (quarterly visual, annual wet weather) will be logged on the Quarterly Visual Monitoring Form provided in *Appendix J*. All storm event data must be documented on the Storm Event Data Form (*Appendix H*). All monitoring is reported to the DEC on the Annual Certification Report attached as *Appendix I*. The Annual Certification Report and DMR forms must be submitted to DEC by February 28th of each year to report monitoring actions completed for the prior calendar year.

12.1 Annual Certification Report

The Annual Certification Report is a two-page DEC form containing 21 questions, a brief written summary section, and a signed certification. This report details both the completion and results of required monitoring performed throughout the prior calendar year, including:

- Quarterly visual monitoring.
- Annual dry weather monitoring.
- Annual (or quarterly for discharges to impaired waters) benchmark sampling.

The facility is governed by Sector M, Sector N, Subsector N-3 and Subsector N-4 requirements to perform wet weather sampling with comparison of laboratory results to benchmark monitoring cut-off concentrations. These cut-off concentrations are not regulatory limits. They are intended to provide a comparative benchmark for the analytical results to guide the facility when to mitigate activities contributing pollutants to stormwater runoff.

12.2 Quarterly Visual Monitoring

This monitoring must be reported on the DEC Quarterly Visual Monitoring Form provided in *Appendix J* and maintained with the SWPPP. Storm event data must be documented on the form provided in *Appendix H*. The report of visual monitoring includes the following information:

- Outfall location.
- Examination date and time.
- Name of person who performed the visual examination.
- Nature of the discharge (rainwater, snowmelt, combination).
- Visual quality of stormwater discharge including, color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen or any other obvious pollution indicators.
- Probable sources of any stormwater pollution and actions taken to eliminate these sources.

12.3 Annual Dry Weather Flow Monitoring

This monitoring must be recorded and maintained with the SWPPP. The Certification of Non-Stormwater Discharge provided in *Appendix F* is an internal record documenting that required monitoring was completed. The facility must annually report to the DEC that it completed dry weather monitoring in the Annual Certification Report, which must include the following information:

- Outfall location.

- Examination date and time.
- Name of person who performed the monitoring.
- Nature and description of the discharge (rainwater, snowmelt, combination).
- The source of any dry weather discharge and actions taken to eliminate non-authorized discharge(s).

12.4 Annual/Quarterly Wet Weather Flow Monitoring

Performance of wet weather flow and benchmark monitoring is recorded on the Quarterly Visual Monitoring Form (*Appendix J*). Reporting of this monitoring is made to the DEC in the Annual Certification Report and analytical results of discharge samples are reported on DMR forms provided by the DEC. The following storm event data must be recorded on the Storm Event Data Form (*Appendix H*) for a wet weather sampling event:

- Date and duration (hours) of the storm event sampled.
- Rainfall measurement or estimate (inches) of the storm event generating the runoff.
- Duration (hours) between the storm event sampled and the preceding measurable (0.1-inch or greater) storm event.

If the analytical results of a sample collected exceed the applicable effluent limitation guideline (shredder only), a Report of Noncompliance Event Form must be submitted in addition to the DMRs. A copy of this report can be found in *Appendix M*.

13.0 RECORDKEEPING

The following written records must be maintained in facility records for at least five years after the expiration date of this General Permit.

- Annual Comprehensive Compliance Inspection Evaluation Reports and subsequent actions taken to correct any deficiencies address in this report.
- Annual Certification Reports.
- Records of monitoring activities specifically including:
 - Date, exact place and time of sampling or measurements.
 - Individuals who performed the sampling or measurements.
 - The date analyses were performed.
 - Individuals who performed the analyses.
 - Analytical technique or methods used.
 - Results of analyses.
 - Quality assurance/quality control documentation.

A copy of this SWPPP will be maintained on-site in the general manager's office. A copy of the General Permit is attached in *Appendix A*. Facilities discharging into or through an MS4 shall make their SWPPP available to the municipal operator upon request.

TABLES

BEN WEITSMAN OF SYRACUSE, LLC

TABLE 1

POLLUTION PREVENTION TEAM

Facility Name:	<u>Ben Weitsman of Syracuse, LLC</u>
Address:	<u>333 Bridge Street</u>
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Team Member:	<u>Adam Weitsman</u>
	<u>President</u>
	<u>Work Telephone: (607) 687-7777</u>
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BEN WEITSMAN OF SYRACUSE, LLC

TABLE 2
SPILL HISTORY

Spill Date	Material	Quantity Spilled	DEC Spill Number	Reported By	Cause and Corrective Action
09/07/2010	Other	Unknown	1006215	Weitsman	Housekeeping / Cleanup
06/07/2011	ATF	1 gallon	1102604	Weitsman	Housekeeping / Cleanup
02/28/2017	Used Oil	2 gallons	1610721	Weitsman	Housekeeping / Cleanup

BEN WEITSMAN OF SYRACUSE, LLC

TABLE 3

BEST MANAGEMENT PRACTICES

BMPs	Description	Applied? Y or N	Comments
SECTOR N			
Inbound Waste Control Program	The SWPPP shall include a program to control materials received for processing:		
	• Notify suppliers/public which scrap materials will not be accepted at the facility or are only accepted under certain conditions.	Y	Poster
	• Develop and implement procedures to inspect inbound shipments of recyclable materials.	Y	Inspection Procedures
	• Develop and distribute educational material targeting the public and/or commercial drivers of inbound vehicles.	Y	Flyer
	• Training targeted for personnel engaged in the inspection and acceptance of inbound recyclable materials.	Y	Included in training
Particulates	The plan shall address BMPs to <i>minimize</i> contact of particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Good housekeeping measures, including frequent sweeping of haul and access roads and the use of dry absorbent or wet vacuum cleanup methods, to contain or dispose/recycle residual liquids originating from recyclable containers.	Y	Sweeping program, fluid recovery rack, SPCC plan
	• Good housekeeping measures to prevent the accumulation of particulate matter and fluids, particularly in high traffic areas.	Y	Sweeping program
Stockpiled Materials, Processed Materials and Non-Recyclable Wastes	The SWPPP must describe BMPs to <i>minimize</i> contact of stormwater runoff with stockpiled materials, processed materials and non-recyclable wastes. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Store the equivalent one day's volume of recyclable materials indoors.	N	Not practical at active scrap yard
	• Containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading installed where appropriate to <i>minimize</i> contact of stormwater runoff with outdoor processing equipment or stored materials.	Y	Provided where practical
	• Diversion of runoff away from storage areas via dikes, berms, containment trenches, culverts and surface grading.	Y	Provided where practical
	• Cover containment bins, dumpsters, roll-off boxes.	Y	Provided where practical
	• Permanent or semi-permanent covers over areas where materials are transferred, stored or stockpiled.	N	Not practical in active scrap yard
	• Install a sump/pump with each containment pit, and discharge collected fluids to a sanitary sewer system.	NA	No pits
	• Sediment traps, vegetated swales and strips, catch basin filters and sand filters to facilitate settling or filtering of sediments.	Y	Retention basins
Residual Liquids and Fluids	The plan shall address BMPs to minimize contact of residual liquids and particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Prohibit the practice of allowing washwater from tipping floors or other processing areas from discharging to the storm sewer system.	NA	No washing
	• Disconnect or seal off all floor drains connected to the storm sewer system.	NA	No floor drains
	• Drums containing liquids, especially oil and lubricants, should be stored indoors, in a bermed area, in overpack containers or spill pallets, or in similar containment devices.	Y	Drums stored inside where practical Drums stored on spill pallets
	• Drip pans or equivalent measures shall be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans shall be inspected for leaks and potential overflow and all liquids properly disposed of in accordance with RCRA requirements.	Y	Drip pans deployed as needed
	• Liquid wastes, including used oil, shall be stored in materially compatible and non-leaking containers, and be disposed or recycled in accordance with all requirements under RCRA and State or local requirements.	Y	Liquids stored in materially compatible and non-leaking containers, and disposed or recycled in accordance with all requirements

BEN WEITSMAN OF SYRACUSE, LLC

TABLE 3

BEST MANAGEMENT PRACTICES

BMPs	Description	Applied? Y or N	Comments
SECTOR M			
Vehicle Dismantling & Maintenance Areas	The SWPPP must describe BMPs that prevent or minimize contamination of stormwater runoff from all areas used for vehicle dismantling and maintenance. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Inspect all incoming vehicles for leaks and take appropriate actions to prevent the release of automobile fluids to the ground.	Y	Scale Attendant / Scale Office
	• Remove fuel, refrigerants and the battery as soon as possible.	Y	Enviro-Rack
	• Vehicle draining and dismantling activities must be conducted in a bermed area, constructed of concrete or other surfaces that allows equivalent protection to groundwater.	Y	Enviro-Rack
	• The dismantling area should also be covered.	Y	Building to house Enviro-Rack planned
	• Maintain an organized inventory of materials used in the maintenance shop.	Y	Kept by on-site mechanic
	• Nonhazardous substances that are contaminated with a hazardous substance are considered to be a hazardous substance.	Y	Fluids handling procedure and proper labeling techniques training are incorporated into daily operations
	• Disposal of greasy rags, air filters and degreasers properly.	Y	Good housekeeping techniques
	• Label and track the recycling of waste material (e.g., used oil, spent solvents, batteries).	Y	All storage containers are properly labeled; Recycling Programs are in place
	• Drain oil and transmission filters before disposal or recycling.	Y	Oil filters are drained and recycled
	• Inspect the maintenance area regularly for proper implementation of control measures.	Y	Monthly Inspections (documented)
Liquid Storage Areas	The SWPPP must describe BMPs that prevent or minimize contamination of stormwater runoff from all areas used for liquid storage. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Maintain good integrity of all storage containers.	Y	Monthly Inspections (documented)
	• Provide containment and a roof over liquid storage areas.	Y	Monthly Inspections (documented)
	• Inspect storage tanks to detect potential leaks and perform preventive maintenance.	Y	Monthly Inspections (documented)
	• Inspect piping systems (pipes, pumps, flanges, couplings, hoses and valves) for failures or leaks.	Y	Monthly Inspections (documented)
	• Train employees on proper filling and transfer procedures.	Y	Annual and New Hire Training

BEN WEITSMAN OF SYRACUSE, LLC

TABLE 3

BEST MANAGEMENT PRACTICES

BMPs	Description	Applied? Y or N	Comments
SECTOR N			
Inbound Waste Control Program	The SWPPP shall include a program to control materials received for processing:		
	• Notify suppliers/public which scrap materials will not be accepted at the facility or are only accepted under certain conditions.	Y	Poster
	• Develop and implement procedures to inspect inbound shipments of recyclable materials.	Y	Inspection Procedures
	• Develop and distribute educational material targeting the public and/or commercial drivers of inbound vehicles.	Y	Flyer
	• Training targeted for personnel engaged in the inspection and acceptance of inbound recyclable materials.	Y	Included in training
Particulates	The plan shall address BMPs to <i>minimize</i> contact of particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Good housekeeping measures, including frequent sweeping of haul and access roads and the use of dry absorbent or wet vacuum cleanup methods, to contain or dispose/recycle residual liquids originating from recyclable containers.	Y	Sweeping program, fluid recovery rack, SPCC plan
	• Good housekeeping measures to prevent the accumulation of particulate matter and fluids, particularly in high traffic areas.	Y	Sweeping program
Stockpiled Materials, Processed Materials and Non-Recyclable Wastes	The SWPPP must describe BMPs to <i>minimize</i> contact of stormwater runoff with stockpiled materials, processed materials and non-recyclable wastes. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Store the equivalent one day's volume of recyclable materials indoors.	N	Not practical at active scrap yard
	• Containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading installed where appropriate to <i>minimize</i> contact of stormwater runoff with outdoor processing equipment or stored materials.	Y	Provided where practical
	• Diversion of runoff away from storage areas via dikes, berms, containment trenches, culverts and surface grading.	Y	Provided where practical
	• Cover containment bins, dumpsters, roll-off boxes.	Y	Provided where practical
	• Permanent or semi-permanent covers over areas where materials are transferred, stored or stockpiled.	N	Not practical in active scrap yard
	• Install a sump/pump with each containment pit, and discharge collected fluids to a sanitary sewer system.	NA	No pits
	• Sediment traps, vegetated swales and strips, catch basin filters and sand filters to facilitate settling or filtering of sediments.	Y	Retention basins
Residual Liquids and Fluids	The plan shall address BMPs to minimize contact of residual liquids and particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Prohibit the practice of allowing washwater from tipping floors or other processing areas from discharging to the storm sewer system.	NA	No washing
	• Disconnect or seal off all floor drains connected to the storm sewer system.	NA	No floor drains
	• Drums containing liquids, especially oil and lubricants, should be stored indoors, in a bermed area, in overpack containers or spill pallets, or in similar containment devices.	Y	Drums stored inside where practical Drums stored on spill pallets
	• Drip pans or equivalent measures shall be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans shall be inspected for leaks and potential overflow and all liquids properly disposed of in accordance with RCRA requirements.	Y	Drip pans deployed as needed
	• Liquid wastes, including used oil, shall be stored in materially compatible and non-leaking containers, and be disposed or recycled in accordance with all requirements under RCRA and State or local requirements.	Y	Liquids stored in materially compatible and non-leaking containers, and disposed or recycled in accordance with all requirements

TABLE 3
BEST MANAGEMENT PRACTICES

BMPs	Description	Applied? Y or N	Comments
SUBSECTORS N-3 (Scrap Yard) and N-4 (Shredder)			
Inbound Recyclable & Waste Control Program	Facilities must develop and implement a program to control what is received at the facility. The plan shall include:		
	• Provisions for information/education flyers, brochures and pamphlets to suppliers of scrap and recyclable waste materials on:		
	○ Draining and proper recycling/disposal of residual fluids prior to delivery to the facility when applicable (e.g., from vehicles and equipment engines, radiators, and transmissions, oil filled transformers and individual containers or drums);	Y	Flyer
	○ Removal and proper collection, recycling and/or disposal of mercury switches, mercury containing parts, lead tire weights, lead battery cable ends, air conditioning refrigerants and small PCB capacitors from vehicles; and	Y	Flyer
	○ Removal and proper collection/disposal of PCB capacitors, ballasts, CFCs/HCFCs, mercury switches, mercury containing components and other sources of potential contaminants from appliances.	Y	Flyer
	• Procedures to require certification by suppliers of inbound shipments of recyclable materials that the items identified above were completed.	Y	Sign-off Form
Lead Battery Program	• Procedures to inspect inbound shipments of recyclable materials to ensure that the items identified above were completed.	Y	Inspection Form
	Facilities accepting lead acid batteries must develop and implement a scrap lead acid battery program. The plan shall address measures and controls for the proper handling, storage and disposal of scrap lead acid batteries. The SWPPP shall document decisions relating to the following BMP options:		
	• Segregate scrap lead acid batteries from other scrap materials;	Y	Removed and stored indoors
	• A description of procedures and/or measures for the proper handling, storage and disposal of cracked or broken batteries;	Y	Procedure provided
	• A description of measures to collect and dispose of leaking lead acid battery fluid;	Y	Procedure provided
	• A description of measures to <i>minimize</i> and, whenever possible, eliminate exposure of scrap lead acid batteries to precipitation or runoff; and	Y	Procedure provided
Residual Fluids	• A description of employee training for the management of scrap batteries.	Y	Training program in place
	Install oil/water separators, sumps and dry adsorbents for areas where potential sources of residual fluids are stockpiled (e.g., automotive engine storage areas). The plan shall implement measures necessary to <i>minimize</i> contact of surface runoff with residual cutting fluids. The SWPPP shall document considerations of the following BMPs (or their equivalent):		
	• Store all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover. Stormwater discharges from these areas are permitted, provided the runoff is first treated by an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the plan.	Y	Stored in covered bins or in bermed areas and covered with tarps.
	• Establish dedicated containment areas for all turnings that have been exposed to cutting fluids. Stormwater runoff from these areas can be discharged, provided:	Y	Stored in covered bins or in bermed areas and covered with tarps.
	○ The containment areas are constructed of either concrete, asphalt or other equivalent type of impermeable material;	Y	Stored in covered bins or in bermed areas and covered with tarps.
	○ There is a drainage collection system for runoff generated from containment areas;	Y	Accumulated liquid in bins or bermed areas collected with absorbants.
	○ There is a schedule to maintain the oil/water separator (or its equivalent); and	NA	
	○ Procedures are identified and implemented for the proper disposal or recycling of collected residual fluids.	Y	Spent absorbants are non-hazardous and sent to landfill.

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TABLE 3

BEST MANAGEMENT PRACTICES

BMPs	Description	Applied? Y or N	Comments
SUBSECTORS N-3 (Scrap Yard) and N-4 (Shredder) [Continued]			
Scrap & Recyclable Waste Processing Areas	The SWPPP shall include BMPs to <i>minimize</i> surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue (e.g., shredding facilities), the plan shall describe measures to <i>minimize</i> the contact of residual fluids and accumulated particulate matter with runoff (i.e., through good housekeeping, preventive maintenance, etc.). The SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Provide stormwater containment within a 30-foot perimeter of the following fixed equipment: shears, balers, shredders, grinders, screeners and conveyors.	NA	No fixed equipment
	• Oil /water separators or sumps.	NA	No separators or sumps
	• Catch basin filters or sand filters.	Y	CB filters will be installed in new CBs
	• Use and maintenance of silt and/or other fencing around light material processing to prevent migration of lightweight materials such as foam by wind and stormwater runoff.	Y	Silt fence installed where needed
SUBSECTOR N-4 (Shredder Only)			
Auto Shredders	At minimum, the SWPPP shall document considerations of the following BMPs (or their equivalents):		
	• Use and maintenance of silt and/or other fencing around shredder fluff or other light material processing to prevent migration of lightweight materials such as foam by wind and stormwater runoff.	NA	No shredder
	• The ground in the entire shredder and downstream areas shall be covered by asphalt or concrete, and drainage shall be controlled.	Y	No shredder
	• Ground surface must be cleaned/swept at the end of each shift to prevent dirt and debris from being tracked to other areas.	Y	No shredder

APPENDIX A

DEC SPDES MULTI-SECTOR GENERAL PERMIT



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES MULTI-SECTOR GENERAL PERMIT
FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

Permit No. GP-0-12-001

Issued Pursuant to Article 17, Titles 7, 8 and Article 70
of the Environmental Conservation Law

Effective Date:
October 1, 2012

Expiration Date:
September 30, 2017

Authorized Signature:

John Ferguson, Chief Permit Administrator
NYS Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12233-1750

Date: September 28, 2012

PREFACE

The Clean Water Act (CWA)¹ provides that *stormwater discharges associated with industrial activity* from a *point source*² (including *discharges* through a *municipal separate storm sewer system*) to *waters of the United States* are unlawful, unless authorized by a *National Pollutant Discharge Elimination System (NPDES)* permit. In New York, EPA has approved the *State* program which is enacted through the administration of the *State Pollutant Discharge Elimination System (SPDES)* program.

A discharger who is subject to the stormwater *SPDES* regulations may be eligible to obtain coverage under a general permit by submitting a Notice of Intent (NOI) form to the address provided on the form. Blank NOI forms are available by calling (518) 402-8111 or can be downloaded from the NYSDEC website at:
http://www.dec.ny.gov/docs/water_pdf/gpnoit.pdf.

Background

The version of the Multi-Sector General Permit for *Stormwater Discharges Associated with Industrial Activity* identified as GP-0-06-002 expired on March 27, 2012. The *Department* elected to reissue the MSGP without changes as GP-0-11-009 which became effective March 28, 2012 and will expire on September 30, 2012. For *discharges* covered under GP-0-06-002, coverage was automatically continued under GP-0-11-009.

Facilities covered under GP-0-11-009 and all new dischargers may seek coverage under this permit by submitting a Notice of Intent as set forth in Part I of this permit.

Please be sure to review and understand the requirements that apply to your facility. This permit includes general requirements applicable to all facilities with permit coverage (Parts I through VII) and industry specific requirements in Part VIII which address 31 different industrial activities.

Coverage under this general permit is available effective October 1, 2012 and will expire on September 30, 2017.

¹ Also known as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972 (Pub.L. 92-500, as amended Pub. L. 92-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.)

² "Point Source" means any discernible, confined, and discrete conveyance, including *but not limited to*, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which *pollutants* are or may be discharged. The State's interpretation of "point source" is consistent with the Environmental Protection Agency's response to comments published with the final stormwater rule promulgated in the Federal Register Volume 55/No. 222, November 1, 1990, which states that point source discharges of stormwater result from structures which increase imperviousness of the ground which acts to collect runoff, with runoff being conveyed along the resulting or grading patterns.

SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity except Construction Activity

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Part I. COVERAGE UNDER THIS PERMIT

A. Permit Area

This permit is intended to provide *SPDES* Permit coverage to facilities with *stormwater discharges*³ to *surface waters of the State*⁴ from a *point source* or *outlet*⁵ that conduct industrial activities identified within 40 CFR Part 122.26(b)(14)(i) through (ix) and (xi), as well as other miscellaneous industrial activities designated by the *Department* on a case by case basis. This Permit covers all areas of New York State where New York State implements Section 402 of the CWA. Except as in compliance with this general permit or with a duly authorized individual permit from DEC, stormwater "discharges associated with industrial activity"⁶ by any person shall be unlawful.

B. Permit Conditions & Limitations

1. **Control Measures and Effluent Limits** - In the technology-based limits included below and in Part VIII, the term "*minimize*" means reduce and/or eliminate to the extent achievable using *control measures* (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

- a. **Control Measures** - The *owner or operator* must select, design, install, and implement control measures (including best management practices) to address the selection and design considerations in Part I.B.1.a.1, meet the non-numeric effluent limits in Part I.B.1.a.2, and meet limits contained in applicable *effluent limitations guidelines* in Part I.B.1.a.3. The selection, design, installation, and implementation of these *control measures* must be in accordance with good engineering practices and manufacturer's specifications. Note that the *owner or operator* may deviate from such manufacturer's specifications provided that a justification for such deviation is documented in the part of SWPPP that describes the *control measures*,

³ A "discharge associated with industrial activity" covered under this general permit, includes those defined in 40 CFR Section 122.26(b)(14)(i) through (ix) and (xi).

⁴ For the purpose of this permit, *Surface Waters of the State* includes both *Surface Waters of the State* and *Waters of the United States* as defined in Appendix A.

⁵ "Outlet means outfall" 6 NYCRR 750-1.2(a)(59) "Outfall means the terminus of a sewer system, or the point of emergence of any waterborne sewage, industrial waste or other wastes or the effluent therefrom, into the *waters of the State*." 6 NYCRR 750-1.2(a)(58)

⁶ "It shall be unlawful for any person, until a written *SPDES* permit therefor has been granted by the commissioner, or by his designated representative, and unless such permit remains in full force and effect, to: a. Make or cause to make or use any outlet or point source for the discharge of sewage, industrial waste or other wastes or the effluent therefrom, into the waters of this state;" ECL §17-0701(1).

consistent with Part III.C.7. If the *owner or operator* finds that the *control measures* are not achieving their intended effect of *minimizing* pollutant *discharges*, the *owner or operator* must modify these *control measures* as expeditiously as practicable. Regulated stormwater *discharges* from the facility include stormwater run-on that commingles with *stormwater discharges associated with industrial activity* at the facility.

(1) Control Measure Selection and Design Considerations - The *owner or operator* must consider the following when selecting and designing *control measures*:

- preventing stormwater from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove *pollutants* from stormwater;
- using *control measures* in combination is more effective than using *control measures* in isolation for *minimizing pollutants* in stormwater *discharges*;
- assessing the type and quantity of *pollutants*, including their potential to impact receiving water quality, is critical to designing effective *control measures* that will achieve the limits in this permit;
- *minimizing* impervious areas at the facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve *groundwater* recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination; attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- conserving and/or restoring of riparian buffers will help protect streams from stormwater runoff and improve water quality; and,
- using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to *minimize* the *discharge* of *pollutants*.

(2) Non Numeric Technology Based Effluent Limits (BPT/BAT/BCT)

(a) *Minimize* Exposure - The *owner or operator* must *minimize* the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff. In *minimizing* exposure, the *owner or operator* should pay particular attention to the following:

- locate industrial materials and activities inside or protect them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended);

Continue Part I.B.1.a.(2).(a). to Part I.B.1.a.(2).(c).

- use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas);
- clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the *discharge of pollutants*;
- use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible;
- use spill/overflow protection equipment;
- drain fluids from equipment and vehicles prior to on-site storage or disposal;
- perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and ensure that all washwater drains to a proper collection system (i.e., not the stormwater drainage system).
- Minimize exposure of chemicals by replacing with a less toxic alternative

The *discharge* of vehicle and equipment washwater, including tank cleaning operations, is not authorized by this permit. These wastewaters must be covered under a separate *SPDES* permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law.

- (b) Good Housekeeping - The *owner or operator* must keep clean all exposed areas that are potential sources of *pollutants*, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.
- (c) Maintenance - The *owner or operator* must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of *pollutants* in stormwater discharged to *surface waters of the state*. All *control measures* that are used to achieve the effluent limits required by this permit must be maintained in effective operating condition. Nonstructural *control measures* must also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If inspection indicate that *control measures*

need to be replaced or repaired, the necessary repairs or modifications shall be made as expeditiously as practicable

(d) Spill Prevention and Response Procedures - The *owner or operator* must *minimize* the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. At a minimum, The *owner or operator* must implement:

- Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
- Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
- Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause, detect, or respond to a spill or leak must be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals should be a member of the stormwater pollution prevention team (see Part III.C.1); and,
- Procedures for notification of the appropriate facility personnel, emergency response agencies, and regulatory agencies. Any spills must be reported in accordance with 6 NYCRR Part 750-2.7

(e) Erosion and Sediment Controls - The *owner or operator* must stabilize exposed areas and control runoff using structural and/or non-structural *control measures* to *minimize* onsite erosion and sedimentation, and the resulting *discharge* of *pollutants*. Among other actions taken to meet this limit, flow velocity dissipation devices must be placed at *discharge* locations and within *Outfall* channels where necessary to reduce erosion and/or settle out *pollutants*. Controls must be in accordance with the New York State Standards & Specification for Erosion & Sediment Control (2005), or equivalent.

(f) Management of Runoff - The *owner or operator* must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, to *minimize pollutants* in the *discharges*.

Continue Part I.B.1.a.(2).(g). to Part I.B.1.a.(3).

- (g) Salt Storage Piles or Piles Containing Salt - The *owner or operator* must enclose or cover storage piles of salt, or piles containing salt, used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces. The *owner or operator* must implement appropriate measures (e.g., good housekeeping, diversions, containment) to *minimize* exposure resulting from adding to or removing materials from the pile. Piles do not need to be enclosed or covered if stormwater runoff from the piles is not discharged or if *discharges* from the piles are authorized under another *SPDES* permit.
 - (h) Sector Specific Non-Numeric Effluent Limits - The *owner or operator* must achieve any additional non-numeric limits stipulated in the relevant sector-specific section(s) of Part VIII.
 - (i) The *owner or operator* must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team. Training must cover both the specific *control measures* used to achieve the effluent limits in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Training shall be conducted at least annually (or more often if employee turnover is high).
 - (j) Non-Stormwater Discharges - The *owner or operator* must eliminate non-stormwater *discharges* not authorized by a *SPDES* permit. See Part I.C.3 for a list of non-stormwater *discharges* authorized by this permit.
 - (k) Waste, Garbage and Floatable Debris - The *owner or operator* must ensure that waste, garbage, and floatable debris are not discharged to *surface waters of the state* by keeping exposed areas free of such materials or by intercepting them before they are discharged.
 - (l) Dust Generation and Vehicle Tracking of Industrial Materials - The *owner or operator* must *minimize* generation of dust and off-site tracking of raw, final, or waste materials
- (3) Numeric Effluent Limitations based on *effluent limitations guidelines*. The *owner or operators* of facilities listed in an industrial category subject to one or more of the *effluent limitations guidelines* identified in Appendix D, must meet the effluent limits specified in the referenced Sector in Part VIII.

2. Maintaining Water Quality Standards - The *Department* expects that compliance with the other conditions of this permit will control *discharges* necessary to meet applicable water quality standards. It shall be a violation of the *Environmental Conservation Law (ECL)* for any *discharge* authorized by this general permit to either cause or contribute to a violation of water quality standards as contained in Parts 700-705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, including, but not limited to:

- a. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
 - b. There shall be no suspended, colloidal and settleable solids from sewage, *industrial wastes* or other wastes that will cause deposition or impair the waters for their best usages; and
 - c. There shall be no residue from oil and floating substances attributable to sewage, *industrial wastes* or other wastes, nor visible oil film nor globules of grease.
3. If there is evidence indicating that the stormwater *discharges* authorized by this permit are causing, have the reasonable potential to cause, or are contributing to an excursion above an applicable water quality standard, the *owner or operator* must take appropriate corrective action and notify the *Department* of corrective actions taken. The *Department* may require the *owner or operator* to conduct follow-up monitoring or provide additional information, may require the *owner or operator* to include and implement appropriate controls in the SWPPP to correct the problem, may require the *owner or operator* to obtain an individual permit and/or may take appropriate enforcement action.
4. If there is evidence indicating that despite compliance with the terms and conditions of this permit it is demonstrated that the stormwater *discharges* authorized by this permit are causing or contributing to a violation of water quality standards, or if the *Department* determines that a modification of the permit is necessary to prevent a violation of water quality standards, the authorized *discharges* will no longer be eligible for coverage under this permit. The *Department* may require the *owner or operator* to obtain an *SPDES* individual permit to continue discharging.

C. Eligibility

The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

1. Facilities Covered - Permit eligibility is limited to the *discharge* of stormwater associated with industrial activities consistent with the definitions in 40 CFR 122.26(b)(14)(i-ix and xi), which identifies categories of *industrial activity* consistent with Standard Industrial Classification (SIC) codes; industrial activity codes; narrative descriptions; or non-classified *discharges* covered under sectors AD and AE of this general permit which have been designated by the *Department* (via written notification) as needing a stormwater permit and determined to be suitable for coverage under this permit. These industrial activities have been organized into specific industrial sectors A through AE in Part VIII. Reference to "sectors" in this permit (e.g., sector specific monitoring requirements, etc.) refer to these sectors.

- a. *Co-located industrial activity* - If more than one *industrial activity* occurs at the facility, those industrial activities are considered to be *co-located*. Stormwater *discharges* from *co-located industrial activities* are authorized by this permit, provided that the *owner or operator* complies with any and all additional sector specific requirements from Part VIII applicable to each *industrial activity* at the facility. A facility with a *primary industrial activity* that is required to obtain coverage under MSGP is also required to comply with requirements that apply to other activities at the facility if those additional activities would require coverage if considered on their own. If more than one activity listed in Appendix B is being performed at a facility, all SIC codes must be included in the NOI submitted to the *Department* to gain or renew coverage under MSGP. There are specific monitoring and SWPPP requirements associated with each industrial sector. *Owners/operators* must comply with all requirements related to each activity.
- b. *Industrial sector determination* - If a *owner or operator* can provide adequate justification to the *Department*, and the *Department* agrees, the *owner or operator* may utilize another industrial sector which better reflects the industrial activities occurring at the facility than the industrial sector associated with the facility's SIC code. The *Department* reserves its right to classify such facilities in Sector AD instead.
- c. *Municipally owned facilities* - An industrial facility that is owned and operated by a *municipality* covered by the Phase II *Municipal Separate Storm Sewer (MS4)* General Permit may not need coverage under a separate MSGP permit provided that the Phase II *MS4* includes the facility in the *MS4's* Stormwater Management Program Plan, implements the plan in accordance with the *MS4* General Permit and completes all the applicable monitoring and reporting requirements specified in the MSGP for facilities that would otherwise be subject to this permit.

2. **Discharges Covered** - Subject to compliance with terms and conditions of this permit, the following stormwater *discharges* are authorized:
- a. Stormwater associated with *industrial activity to surface waters of the State*, except ineligible stormwater *discharges* identified under Part I.D or under the sector specific requirements of Part VIII;
 - b. *Stormwater discharges associated with industrial activity* that are mixed with stormwater *discharges* authorized under a different *SPDES* general permit or an *individual SPDES permit* provided that all *discharges* are in compliance with the terms and conditions of the various permits;
 - c. *Stormwater discharges associated with industrial activity* which are authorized by this permit may be combined with other sources of stormwater which are not classified as associated with *industrial activity* pursuant to 40 CFR 122.26(b)(14), provided that the *discharge* is in compliance with this permit and the *discharges* have not been designated by the *Department* as requiring an individual *SPDES* Permit;
 - d. *Discharge* subject to effluent guidelines listed in Table IV-1 or Appendix D that also meet all other eligibility requirements of the permit;
 - e. *Discharges* designated by the *Department* as needing a stormwater permit and determined to be suitable for coverage under sectors AD & AE of this general permit; and
 - f. Non-stormwater *discharges* explicitly listed in Part I.C.3.
3. **Non-Stormwater Discharges** - The following non-stormwater *discharges* may be authorized by this permit provided that the SWPPP contains the documentation specified in Part III.C.7.f.2:
- a. *Discharges* from fire fighting activities;
 - b. Fire hydrant flushings;
 - c. Potable water sources including waterline flushings;
 - d. Uncontaminated air conditioning or compressor condensate, and other uncontaminated condensate such as condensate from the surface of pressurized gas cylinders stored outside;
 - e. Irrigation drainage;
 - f. Landscape watering provided that all pesticides⁷ and fertilizers have been applied in accordance with manufacturer's instructions;

⁷ All pesticide, herbicide and fungicide products used at the facility must be registered with New York State and applied in accordance with the label directions. Any use contrary to the legal label is considered a violation of Federal and State Pesticide Law. Certification of pesticide applicators may be required. <http://www.dec.ny.gov/permits/209.html>

- g. Routine external building washdown which does not use detergents
- h. Uncontaminated ground water or spring water;
- i. Foundation or footing drains where flows are not contaminated with process materials such as solvents; and
- j. Incidental windblown mist from cooling towers that collect on rooftops or adjacent portions of the facility, but not intentional *discharges* from cooling tower (e.g.; "piped" cooling tower blowdown or drains).

D. Activities Which are Ineligible for Coverage under this General Permit

The following *discharges* from *industrial activity* are not authorized by this permit:

1. *Discharges* from *industrial activity* that are mixed with sources of non-stormwater other than those expressly authorized under either this permit or a different *SPDES* permit.
2. *Discharges* from *industrial activity* that are subject to an existing *SPDES* individual or general permit located at a facility where a *SPDES* permit has been terminated or denied; where the facility has failed to renew an expired individual permit; or which are issued an individual or alternative general permit;
3. *Discharges* from *industrial activity* which are subject to an existing *effluent limitation guideline* addressing stormwater which are not specifically listed in Table IV-1 or Appendix D (or a combination of stormwater and process water);
4. *Discharges* from *industrial activity* from *construction activities*, except stormwater *discharges* from portions of a construction site at facilities covered under Sectors J & L or that can be classified as an *industrial activity* under 40 CFR 122.26(b)(14)(i) through (ix) or (xi). (Examples of stormwater *discharges* requiring coverage are those associated with areas where mobile asphalt plants and mobile concrete plants are operated);
5. *Discharges* from *industrial activities* that have the potential to adversely affect a listed or proposed to be listed endangered or threatened species or its critical habitat, unless the facility has documentation of a written agreement with the *Department* per 6 NYCRR Part 182 (<http://www.dec.ny.gov/regs/3932.html>);
6. *Discharges* from *industrial activity* that have the potential to adversely affect a property that is listed or is eligible for listing on the *State* or National Registers of Historic Places (Note: includes archeological sites), unless there are written agreements in place with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) or other governmental agencies to mitigate the effects, or there are local land use approvals evidencing the same.; and

7. *Discharges* occurring on federal lands from *industrial activity* from either: inactive mining, inactive landfills, or inactive oil and gas operations where an *owner or operator* cannot be identified.
8. *Discharges* from *industrial activity* to *impaired water* bodies at facilities that fail to achieve and maintain eligibility in accordance with Part II.C.

E. How to Obtain Authorization Under this Permit

1. **Eligibility** - A discharger of *stormwater associated with industrial activity* may be authorized under this permit only if the *discharge* from the facility meets the eligibility requirements in Part I.C. of this permit.
2. **Stormwater Pollution Prevention Plan** - A discharger of stormwater associated with *industrial activity* may be authorized under this permit only if the *owner or operator* has developed and implemented a Stormwater Pollution Prevention Plan (SWPPP) according to the requirements in Parts III, IV, and applicable sections of Parts VIII and IX of this permit.
3. **Notice of Intent** – Unless notified by the *Department* to the contrary, *owner or operators* who submit completed forms made available by the *Department* in accordance with Parts I.E.3.a and b below may be authorized to *discharge* stormwater under the terms and conditions of this permit. Completed forms must be submitted to:

MSGP Permit Coordinator
NYSDEC, Bureau of Water Permits
625 Broadway
Albany, New York 12233-3505

- a. Initial authorization- *Owners or operators* who submit an NOI in accordance with the requirements of this permit are authorized to *discharge* stormwater under the terms and conditions of this permit 30 calendar days after the date that the NOI is received. An exception to this is for transfers of ownership for which permits are effective once the conditions of Parts I.F.2 and VII are met.
- b. Modification of coverage under this permit – After gaining initial authorization under this permit, an *owner or operator* may submit a Notice of Modification (NOM) to correct or update information provided in the NOI submitted to gain initial authorization.
- c. The *Department* may deny coverage under this permit and require submittal of an application for an *individual SPDES permit* based on a review of the NOI or other information pursuant to Part V.N.

F. Deadlines for Notification

1. New dischargers or other *owners or operators* of facilities who intend to obtain coverage under this general permit shall submit a complete NOI at least 30 calendar days prior to the commencement of the *industrial activity* at the facility;
2. Where the *owner or operator* of a facility with stormwater *discharge associated with industrial activity* which is covered by this permit changes, the previous *owner or operator* shall submit a Notice of Termination (NOT) in accordance with Part VII. (Termination of Coverage), and the new *owner or operator* of the facility must submit an NOI.
3. A facility must notify the *Department* of any changes or corrections to the information submitted to gain coverage under this permit by submitting a Notice of Modification (NOM) form. *Stormwater discharges associated with industrial activities or outfalls* not included in previously submitted NOIs or NOMs are not authorized unless and until a complete NOM is received by the *Department*. All modifications, including changes of address or stormwater contact information must be submitted on the NOM form provided by the *Department*.
4. Facilities with effective coverage under the *SPDES General Permit for Stormwater Discharges Associated with Industrial Activity* (GP-0-11-009) on its expiration date are eligible for continued permit coverage on an interim basis for up to one hundred twenty (120) calendar days. A completed NOI must be received within ninety (90) calendar days from the date this permit becomes effective as coverage under this permit will not begin until thirty (30) calendar days from when the *Department* receives a complete NOI. Interim coverage will terminate once a completed NOI has been submitted and coverage is granted.
 - a. During this interim period, an *owner/operator* must:
 - (1) Update the facility's SWPPP to comply with the requirements of this permit prior to submission of the NOI.
 - (2) Comply with the terms and conditions of the *SPDES General Permit for Stormwater Discharges Associated with Industrial Activity* (GP-0-11-009)
 - b. Coverage under GP-0-11-009 shall terminate thirty (30) calendar days after the new NOI, or one hundred twenty (120) calendar days after issuance of GP-0-12-001, whichever comes first.

G. Conditional Exclusion for No Exposure

Facilities may qualify for a "Conditional Exclusion for No Exposure" where industrial activities and materials are completely sheltered from exposure to rain, snow, snowmelt and/or runoff. Facilities qualifying for this exclusion are not required to obtain a general

permit for stormwater *discharges* associated with *industrial activity*. This exclusion is available on a facility-wide basis only and is not applicable to individual *outfalls*.

To obtain the “Conditional Exclusion of No Exposure”, the *owner or operator* must submit a certification to the *Department* attesting to the condition of *no exposure* using forms provided by the *Department*. This certification must be completed and submitted once every 5 years and is non-transferable. Facilities must maintain the condition of *no exposure*. If changes at a facility result in industrial activities or materials becoming exposed, the *no exposure* exclusion ceases to apply. *Owners or operators* who certified that their facilities qualify for the conditional *no exposure* exclusion may, nonetheless, be required by the *Department* to obtain permit coverage, based on a determination that stormwater *discharges* are likely to have an adverse impact on water quality. More information regarding the “Conditional Exclusion for No Exposure” is available at:
<http://www.dec.ny.gov/chemical/62833.html>

Facilities with uncovered parking areas for vehicles awaiting maintenance may be eligible for this waiver if only routine maintenance, such as lubrication and oil changes, are performed on site and all *No Exposure* criteria are met. Facilities accepting disabled vehicles and/or vehicles that have been involved in accidents are not eligible for the Conditional Exclusion for *No Exposure*.

Part II. SPECIAL CONDITIONS

A. New Stormwater Discharges

New *stormwater discharges associated with industrial activity* which require any other *Uniform Procedures Act* permits (*Environmental Conservation Law*, 6 NYCRR Part 621) cannot be covered under this permit until the other required permits are obtained (see Appendix E). Upon satisfying the State Environmental Quality Review Act (SEQRA) requirements and obtaining the necessary permits, the applicant may submit a NOI to obtain coverage under this general permit. In order to facilitate the *Department*’s review of a multi-permitted project, an applicant must submit a report including the information specified in Appendix E with the NOI. A copy of this report must be retained with the SWPPP.

B. Releases of Hazardous Substances or Petroleum

1. This permit does not authorize the *discharge* of hazardous substances (as listed in 6 NYCRR Part 597) or petroleum. The *discharge* of hazardous substances or petroleum in the stormwater *discharge(s)* from the facility shall be prevented or *minimized* in accordance with the stormwater pollution prevention plan for the facility. Any spill of petroleum must be reported in accordance with 6 NYCRR Part 613.8 (<http://www.dec.ny.gov/regs/4433.html>). Any spill of a hazardous substance must be reported in accordance with 6 NYCRR Part 595.3. Notification must be reported to the NYSDEC Spills hotline (1-800- 457-7362) within two hours of the release. Additional notifications may be required for Federal level notification through the National Response Center (NRC) at 1-800-424-8802.

2. Where a release enters a *municipal separate storm sewer system (MS4)*, the *owner or operator* shall also notify the *owner* of the *MS4* within 2 hours of the time at which facility staff becomes aware of the release; and
3. Following any release incident, the *owner or operator* must evaluate the facility's stormwater pollution prevention plan to identify measures preventing reoccurrence and to improve the emergency response to such releases. The plan must be modified where appropriate.

C. Impaired Waters (303(d) and TMDL)

1. *Discharges* to an *impaired waterbody*⁸ that is included on the 303(d) list or in a watershed for which a *TMDL* has been developed are not eligible for coverage under this permit if the cause of impairment is a *pollutant* of concern included in the *benchmarks* and/or *effluent limitations* to which the facility is subject unless the facility:
 - a. Prevents all exposure to stormwater of the *pollutant(s)* for which the waterbody is impaired,
 - b. Documents that the *pollutant* for which the waterbody is impaired is not present on- site, or
 - c. Provides additional information in the SWPPP to *minimize* the *pollutant* of concern causing the impairment as specified in Part III.F.4.
2. If conditions at the facility conform with Part II.C.1.a or b, results of analysis and/or visual monitoring supporting eligibility and other documentation, such as structural BMPs utilized to maintain a condition of no exposure or a certification that the substance is not present on site must be maintained with the SWPPP.

⁸ Information about impaired waters identified in the 303(d) list and approved Total Daily Maximum Load (TMDL) strategies is found on the Department's public web site at: <http://www.dec.ny.gov/chemical/31290.html>.

Section 303(d) of the federal Clean Water Act requires the Department to periodically to prepare a list of all surface waters in the state for which beneficial uses of the water – such as for drinking, recreation, aquatic habitat, and industrial use – are impaired by *pollutants*. These are water quality-limited estuaries, lakes, and streams that fall short of state surface water quality standards, and are not expected to improve within the next two years.

Waters placed on the 303(d) list require the preparation of *Total Maximum Daily Loads (TMDLs)*, a key tool in the work to clean up polluted waters. TMDLs identify the maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water. TMDLs allocate that amount among various sources. In addition, even before a TMDL is completed, the inclusion of a water on the 303(d) list can reduce the amount of *pollutants* allowed to be released under permits issued by the Department.

Part III. STORMWATER POLLUTION PREVENTION PLANS

A. Stormwater Pollution Prevention Plan Requirements

A stormwater pollution prevention plan (SWPPP) shall be developed and implemented by the *owner or operator* for each facility covered by this permit. The SWPPP is intended to document the selection, design, installation and maintenance of *control measures* selected to meet *effluent limitations*. The SWPPP does not contain *effluent limitations*; the limitations are contained in Part I.B.1 and for some sectors Part VIII of this permit. SWPPPs shall be prepared in accordance with good engineering practices and in accordance with the factors outlined in 40 CFR 125.3(d)(2) or (3) as appropriate. This plan does not necessarily have to be developed or certified by a licensed Professional Engineer; however all components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of a professional engineer licensed to practice in the State of New York. Erosion and Sediment Control plans addressing soil disturbance(s) at facilities covered under this permit shall be prepared by, or under the supervision of a *trained individual* who is knowledgeable in the principles and practices of erosion and sediment control. All SWPPPs that require post-construction stormwater management controls shall be prepared by a *qualified professional*.

The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of *stormwater discharges associated with industrial activity* from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to *minimize the pollutants in stormwater discharges associated with industrial activity* at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the SWPPP.

The SWPPP requirements of this general permit may be fulfilled by incorporating by reference other plans or documents such as an Erosion and Sediment Control (ESC) plan, a Mined Land Use Plan, a Spill Prevention Control and Countermeasure (SPCC) plan developed for the facility or *BMP* programs otherwise required for the facility provided that the incorporated plan meets or exceeds the plan requirements of Part III.C and the applicable activity- specific requirements in Part VIII and IX. (All plans incorporated by reference into the SWPPP become enforceable under this permit; however, this enforcement is limited only to those aspects of these other plans that are specifically referenced to provide information or practices required for the SWPPP.)

B. Deadlines for Preparation and Compliance

1. The SWPPP shall be prepared and provide for compliance with the terms of this permit on or before the date of submission of an NOI to be covered under this permit; and

2. Upon showing of good cause, the *Department* may establish a later date in writing for preparing and compliance with the SWPPP for a stormwater *discharge* associated with *industrial activity* that submits an NOI in accordance with Part I.E.3.

C. Contents of the SWPPP

The contents of the SWPPP must include the documentation listed below and in appropriate sectors of Part VIII to comply with the *effluent limitations* contained in Part I.B.1 and for some sectors, Part VIII. If a facility has *co-located* activities that are covered in more than one sector of Part VIII, that facility's SWPPP must comply with the requirements listed in all applicable sectors. These requirements are additive. All SWPPPs developed under this general permit shall include, at a minimum, the following items:

1. **Pollution Prevention Team** - The SWPPP shall identify the staff individuals (by name or title) that comprise the facility's stormwater pollution prevention team. The pollution prevention team is responsible for assisting the *owner or operator* in developing, implementing maintaining, and revising the facility's SWPPP. Responsibilities of each staff individuals on the team must be listed. The activities and responsibilities of the team shall address all aspects of the facility's SWPPP.
2. **General Site Description** - A written description of the nature of the *industrial activity(ies)* at the facility including, at minimum:
 - a. A general description of the industrial activities occurring in each drainage area.
 - b. A general description of the path of stormwater within the facility.
 - c. A description of runoff from adjacent property, if present, containing significant quantities of *pollutants* of concern to the facility (the *owner or operator* may include an evaluation of how the quantity or quality of the stormwater running onto the facility impacts the facility's stormwater *discharges*)
 - d. The general path of stormwater flows between the facility and the nearest surface water body(ies) and/or location(s) where stormwater enters an *MS4*, if applicable.
 - e. **Receiving waters** - The name of the nearest receiving water(s), including intermittent streams and the areal extent and description of wetlands (mapped and federally regulated wetlands) that may receive *discharges* from the facility.
 - f. **Municipal separate storm sewer systems** - If stormwater is discharged to an *MS4*, the SWPPP must identify the *MS4* operator and the receiving water to which the *MS4 discharges*. Contact information for the *MS4* must be included in this section.

- g. Other SPDES permitted discharges - The SWPPP must describe any *discharges* that are currently covered by another *SPDES* permit at the facility (e.g., process wastewater, sanitary wastewater, non-contact cooling water, etc.)
- h. Impervious surface estimate - Provide an estimate of the percent imperviousness of the site:

$$\frac{(\text{Area of Roofs} + \text{Area of Paved and Other Impervious Surfaces})}{\text{Total Area of Facility}} \times 100$$

- i. Location of sensitive areas (e.g. impaired waters; listed threatened & endangered species or their critical habitat; historic properties, etc.)
- j. Size of the property in acres.

3. **Summary of Potential Pollutant Sources** - The SWPPP shall identify each separate area at the facility where industrial materials or activities are exposed to stormwater including any potential *pollutant* sources for which the facility has reporting requirements under EPCRA Section 313⁹. Industrial materials or activities include, but are not limited to material handling equipment or activities, industrial machinery, raw materials, intermediate products, byproducts, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product. For each separate area identified, the description must include:

- a. Activities in area - A list of the activities (e.g., material storage, equipment fueling and cleaning, cutting steel beams, etc.); and
- b. Pollutants - A list of the associated *pollutant(s)* or *pollutant* parameter(s) (e.g., crankcase oil, iron, biochemical oxygen demand, pH, etc.) for each activity. The *pollutant* list must include all *significant materials* that have been handled, treated, stored or disposed in a manner to allow exposure to stormwater for a period of three years before being covered under this permit.

⁹ Pursuant to Section 313 of Title III of the Emergency Planning and Community Right-to-Know Act (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986), a facility is subject to the annual reporting provisions of Section 313 if it meets all three of the following criteria for a calendar year: it is included in SIC codes 20-39; it has 10 or more full-time employees; and it manufactures (including imports), processes or otherwise uses chemicals listed in 40 CFR 372.65 in amounts greater than the "threshold" quantities specified in 40 CFR 372.25. Section 313 water priority chemicals are defined as chemical or chemical categories that: 1) are listed at 40 CFR 372.65; 2) are manufactured, processed or otherwise used at or above threshold levels at a facility subject to EPCRA Section 313 reporting requirements; and 3) that meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR 122 on either Table II (organic priority *pollutants*), Table III (certain metals, cyanides and phenols) or Table V (certain toxic *pollutants* and hazardous substances); (ii) are listed as a hazardous substance pursuant to section 311(b)(2)(A) of the CWA at 40 CFR 116.4; or (iii) are *pollutants* for which EPA has established acute or chronic water quality criteria.

- c. **Potential for presence in stormwater** - For each area of the facility that generates *stormwater discharges associated with industrial activity* with a reasonable potential to contaminate stormwater, a prediction of the direction of flow, and an identification of the types of *pollutants* which are likely to be present in stormwater *discharges* associated with *industrial activity*. Factors to consider include the toxicity of chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with stormwater; and history of reportable leaks or spills of toxic or hazardous *pollutants*.
4. **Spills and Releases** - The SWPPP must clearly identify areas where potential spills or releases can contribute to *pollutants* in stormwater *discharges* and their accompanying drainage points. For areas that are exposed to precipitation or that otherwise drain to a stormwater conveyance at the facility to be covered under this permit, the plan must include a list of reportable spills or releases¹⁰ of petroleum and hazardous substances or other *pollutants* that may adversely affect water quality that occurred during the three-year period prior to the date of the submission of a NOI. The list must be updated if reportable spills or releases occur in exposed areas of the facility during the term of the permit. This permit does not relieve the *owner or operator* of any reporting or other requirements related to spills or other releases of petroleum or hazardous substances.
5. **General Location Map** - A general location map (e.g., USGS quadrangle or other map) with enough detail to identify the location of the facility and the receiving waters and locations where stormwater enters an *MS4*, if applicable, within one mile of the facility.
6. **Site Map** - A site map identifying the following:
 - a. Size of the property in acres
 - b. Location and extent of significant structures and impervious surfaces
 - c. Location of each *outfall* labeled with the *outfall* identification, including *outfalls* with *discharges* authorized under other *SPDES* permits
 - d. The approximate outline of the drainage area to each *outfall*
 - e. Locations of haul and access roads
 - f. Rail cars and tracks

¹⁰ This may also include releases of petroleum or hazardous substances that are not in excess of reporting quantities but which may still cause or contribute to significant water quality impairment. For example, the reportable quantity for ammonia is listed to be 100 pounds and releases well below this threshold will cause water quality impairment and must be addressed.

- g. Direction of stormwater flow using arrows to show which ways stormwater will flow
- h. Location of all receiving waters in the immediate vicinity of the facility, indicating if any of the waters are impaired and, if so, whether they waters have *TMDLs* established for them
- i. *Location of MS4s* and where the stormwater *discharges* to them
- j. Location of all stormwater conveyances including ditches, pipes, and swales
- k. Locations where stormwater flows have significant potential to cause erosion
- l. Location and source of runoff from adjacent property containing significant quantities of *pollutants* and/or volume of concern to the facility
- m. Locations of the following activities where such activities are exposed to precipitation or runoff:
 - Fueling stations
 - Vehicle and equipment maintenance and/or cleaning areas
 - Loading/unloading areas
 - Locations used for the treatment, storage or disposal of wastes
 - Liquid storage tanks
 - Processing and storage areas
 - Locations where significant materials, fuel or chemicals are stored and transferred
 - Locations where vehicles and/or machinery are stored when not in use
 - Transfer areas for substances in bulk
- n. Locations of potential *pollutant* sources identified under Part III.C.3
- o. Location and description of non-stormwater *discharges*, including but not limited to those listed in Parts I.C.3
- p. Locations where major spills or leaks identified under Part III.C.4 have occurred
- q. Locations of all stormwater monitoring points
- r. Locations of all existing structural *BMPs*

7. Stormwater Controls - The SWPPP must document the location and type of *BMPs* installed and implemented at the facility to achieve the non-numeric effluent limits in Part I.B.1.a.(2) and where applicable in Part VIII, and the sector specific numeric

effluent limitations in Part VIII. The SWPPP shall describe how each *BMP* is being, or will be implemented for all the areas identified in Part III.C.3 (summary of potential *pollutant* sources). Selection of *BMPs* should take into consideration:

- The quantity and nature of the *pollutants*, and their potential to impact the water quality of receiving waters;
- Opportunities to combine the dual purposes of water quality protection and local flood control benefits, including physical impacts of high flows on streams (e.g., bank erosion, impairment of aquatic habitat, etc.);
- Opportunities to offset the impact of impervious areas of the facility on ground water recharge and base flows in local streams, taking into account the potential for ground water contamination (i.e., *hotspots*).

The *owner/operator* must select, design, install, and implement *BMPs* as specified in Part I.B.1.a. and Part VIII to meet the *benchmarks* and/or *effluent limitations* included in Part VIII.

If the *owner or operator* determines that any of the *BMPs* described below are not appropriate for the facility, an explanation of why they are not appropriate shall be included in the SWPPP. The *BMPs* listed below are not intended to be an exclusive list of *BMPs* that may be used. The *owner or operator* is encouraged to keep abreast of new *BMPs* or new applications of existing *BMPs* to find the most cost effective means of permit compliance for the facility. If *BMPs* are being used or planned at the facility that are not listed here (e.g., adopting a new or innovative *BMP*, etc.), descriptions of them shall be included in this section of the SWPPP.

- a. **Develop and implement good housekeeping practices to keep exposed areas clean** The SWPPP must describe good housekeeping practices to ensure that all exposed areas that are potential sources of *pollutants* clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.
- b. **Perform regular inspections** – The SWPPP must describe procedures for scheduling, completing and recording results of inspections at frequencies meeting or exceeding those specified in this permit.
 - (1) In addition to or as part of the comprehensive site inspection required under Part IV.A, *qualified facility personnel* (trained in accordance with section e below) must perform routine inspections including all areas of the facility where industrial materials or activities are exposed to stormwater to:
 - (a) Evaluate conditions and maintenance needs of stormwater management devices (e.g., cleaning oil/water separators, catch

basins) to avoid situations that may result in the practice becoming a source of *pollutants*.

- (b) Detect leaks and ensure the good condition of drums, tanks and containers
 - (c) Evaluate the performance of the existing stormwater *BMPs* described in the SWPPP.
- (2) The inspection frequency shall be specified in the plan based upon the frequency identified under the SWPPP requirements for the applicable specific industrial sector. If an inspection frequency is not indicated under the industrial sector, one should be established based upon a consideration of the level of activity in the areas being inspected. Quarterly inspections are required as a minimum frequency for those that don't have a frequency set for the specific industrial sectors.
- (3) Any deficiencies in the implementation and/or adequacy of the SWPPP must be documented.
- (4) Deficiencies must be addressed, corrected, monitored and recorded in accordance with Part III.E.3.
- c. **Test, maintain and repair of all industrial equipment and systems** - An effective preventative maintenance program of all industrial equipment and systems that are exposed to stormwater will prevent unnecessary exposure of *pollutants*. The SWPPP must describe a preventative maintenance program that includes timely inspection, maintenance and repairs. *BMPs* identified in the SWPPP must be maintained in effective operating condition. In the case of nonstructural *BMPs*, the effectiveness of the *BMP* must be maintained by appropriate means (e.g., spill response supplies available and personnel trained, etc.). If site inspections or sampling required by Part IV identify *BMPs* that are not operating effectively, maintenance must be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of stormwater controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable, but not more than 12 weeks after completion of the routine facility inspection or the comprehensive site inspection, unless permission for a later date is granted in writing by the *Department*. Planned changes or anticipated noncompliance does not stay any permit condition.
- d. **Minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur.**

- (1) The SWPPP must include an explanation of existing or planned material handling procedures, storage requirements, secondary containment, and equipment (e.g., diversion valves), that are intended to *minimize* spills or leaks at the facility.
 - (2) The SWPPP must document considerations of alternatives to *minimize* chemicals exposed to stormwater used at the facility.
 - (3) Where practicable, industrial materials and activities should be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff.
 - (4) Spill Prevention and Response Procedures - The SWPPP must describe the procedures that will be followed for cleaning up spills or leaks. The procedures and necessary spill response equipment must be made available to those employees who may cause or detect a spill or leak. Measures for cleaning up spills or leaks must be consistent with applicable petroleum bulk storage, chemical bulk storage or hazardous waste management regulations at 6 NYCRR Parts 595-599, 612-614 and 370-373.
- e. **Provide Training and Education-** The SWPPP must describe the stormwater training program required for individuals conducting *industrial activity* at the facility. Train all individuals who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team . The description must include:
- (1) The target audience (e.g. employees in positions responsible for specific tasks, club members performing engine repair, etc.).
 - (2) Identify periodic dates for such training (e.g., annually, every six months during the months of July and January). Training shall be conducted at least annually. An annual signed and dated employee training log must be kept in the SWPPP.
 - (3) At a minimum, include the following training for individuals with related duties:
 - Spill response
 - Good housekeeping
 - Material management practices
 - How to recognize unauthorized *discharges*

- How to evaluate the condition and maintenance needs of stormwater controls and equipment that may contribute to contamination of stormwater if not functioning properly
- Purpose of SWPPP
- Proper sampling procedures
- Proper reporting procedures
- How to identify when corrective actions are required

f. **Eliminate non-stormwater discharges not authorized by this general permit or another *SPDES* permit** – Non-stormwater *discharges* that are not listed in Part I.C.3 to *surface waters of the State* which are not authorized by a *SPDES* permit are unlawful and must be terminated.

(1) **Discharge Certification** - The SWPPP must include a certification that all *discharges* (i.e., *outfalls*) have been tested or evaluated for the presence of non-stormwater *discharges* before submitting an NOI to gain coverage under this permit. A copy of the certification must be signed in accordance with Part V.H. of this permit and included in the SWPPP at the facility. The certification must include:

- (a) The date of any testing and/or evaluation;
- (b) Identification of potential significant sources of non-stormwater *discharges* at the site;
- (c) A description of the results of any test and/or evaluation for the presence of non-stormwater *discharges*;
- (d) A description of the evaluation criteria or testing method used; and
- (e) A list of the *outfalls* or on-site drainage points that were directly observed during the test.

(2) **Allowable Non-Stormwater Discharges** - The sources of non-stormwater *discharges* listed in Part I.C.3. (allowable nonstormwater *discharges*) are allowable *discharges* under this permit provided the *owner or operator* includes the following information in the SWPPP:

- (a) Identification of each allowable non-stormwater source (flows from fire fighting activities do not need to be identified);
- (b) The location where the non-stormwater *discharge* is likely to occur;
- (c) Descriptions of appropriate *BMPs* for each source; and,

- (d) If mist blown from cooling towers is included as one of the allowable non-stormwater *discharges* from the facility, the *owner or operator* must specifically evaluate the potential for the *discharges* to be contaminated by chemicals used in the cooling tower and must select and implement *BMPs* to control such *discharges* so that the levels of cooling tower chemicals in the *discharges* would not cause or contribute to a violation of an applicable water quality standard.
- g. **Ensure that waste, garbage and floatable debris are not discharged to receiving waters** – The SWPPP must describe *BMPs* selected to eliminate discharged of solid materials, including floating debris, to *surface waters of the State*, except as authorized by a permit issued under section 404 of the CWA.
- h. **Minimize generation of dust and off-site tracking of raw, final or waste materials** The SWPPP must describe *BMPs* selected to *minimize* off-site vehicle tracking of raw, final, or waste materials or sediments, and the generation of dust. Tracking or blowing of raw, final, or waste materials from areas of *no exposure* to exposed areas must be *minimized*.
- i. **Stabilize exposed area and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants.**
 - (1) The SWPPP shall identify areas at the facility which, due to topography, land disturbance (e.g., construction) or other factors, have potential for significant soil erosion.
 - (2) The SWPPP must identify structural, vegetative, and/or stabilization *BMPs* that will be implemented to limit erosion.
 - (3) Velocity dissipation devices (or equivalent measures) must be placed at *discharge* locations and along the length of any *outfall* channel if they are necessary to provide a non-erosive flow velocity from the structure to a water course.
 - (4) The SWPPP must contain adequate details to demonstrate controls conform to the New York Standards and Specifications for Erosion and Sediment Control (2005), or equivalent. This document is available at: <http://www.dec.ny.gov/chemical/29066.html>.
- j. **Divert, infiltrate, reuse, contain or otherwise reduce stormwater runoff, to minimize pollutants in discharges.** -The SWPPP shall describe the traditional stormwater management practices (permanent structural *BMPs* other than those that control the generation or source(s) of *pollutants*) that

currently exist or that are planned for the facility. These types of *BMPs* are typically used to divert, infiltrate, reuse, or otherwise reduce *pollutants* in stormwater *discharges* from the site. Examples of *BMPs* that could be used include but are not limited to: stormwater detention structures (including wet ponds); green infrastructure practices; stormwater retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; and sequential systems (which combine several practices). Whenever possible, the facility should reuse stormwater.

The SWPPP shall provide that all measures that the *owner or operator* determines to be reasonable and appropriate, or are required by a *State* or local authority, shall be implemented and maintained. Factors for the *owner or operator* to consider when selecting appropriate *BMPs* should include:

- (1) The industrial materials and activities that are exposed to stormwater, and the associated *pollutant* potential of those materials and activities; and
- (2) The beneficial and potential detrimental effects on surface water quality, ground water quality, receiving water base flow (dry weather stream flow), and physical integrity of receiving waters. Structural measures shall be placed on upland soils, avoiding wetlands and floodplains, if possible. Structural *BMPs* may require a separate permit under section 404 of the CWA before installation begins.

k. Enclose or cover storage piles of salt or piles containing salt used for deicing or other commercial or industrial purposes, including maintenance of paved surfaces-

- (1) The SWPPP must document that all storage piles of salt used for deicing or other commercial or industrial purposes are enclosed or covered to prevent exposure to precipitation, except during active operations to add or remove materials from the pile.
- (2) For a salt storage facility, the SWPPP must document all good housekeeping measures in place to assure that salt spilled during transfer and spilled or tracked along haul and access roads is removed and returned to the covered storage pile.

l. The SWPPP must document the location and type of *BMPs* installed and implemented at the facility to achieve the non-numeric limits stipulated in Part I.B.1.a.(2) and any relevant sector-specific section(s) of Part VIII of this permit.

m. The SWPPP must document the location and type of *BMPs* installed and implemented at the facility to achieve and address any applicable *effluent*

limitations based in the activity-specific section(s) of Part VIII, which are summarized in the table in Appendix D of this permit.

8. Documentation of Permit Eligibility Related to Endangered Species - For new facilities (to be built) and facilities expanding the perimeter of operations beyond the existing footprint, the SWPPP must include documentation supporting the determination of permit eligibility with regard to Part I.D.5. (Endangered Species), including:

- a. Information on whether listed endangered or threatened species, or critical habitat, are found in the *Action Area*. This information is available on the NYSDEC Environmental Resource Mapper;
<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>.
- b. If *Action Area* is within a location displayed in the **Rare Plants and Rare Animals** or **Significant Natural Communities** data layer, or is close enough to a location that off-site effects are possible (such as surface water runoff, soil erosion, downstream water quality changes, or access road construction); and if the project or action requires a review under the State Environmental Quality Review Act (SEQR), or requires review by NYS DEC for possible permits, a request for a project screening must be made to the NY Natural Heritage Program, or to the local Regional DEC Division of Environmental Permits office (http://www.dec.ny.gov/about/255.html#Regional_Offices) for the county in which the project is located, to determine whether such species may be affected by the facility's stormwater *discharges* or stormwater *discharge*-related activities. More information on requesting a project screening from NY Natural Heritage is available at <http://www.dec.ny.gov/animals/31181.html>;
- c. Results of endangered species screening determinations; and,
- d. A description of measures necessary to protect listed endangered or threatened species, or critical habitat. If the *owner or operator* fails to describe and implement such measures, the stormwater *discharge* is ineligible for coverage under this permit.

9. Documentation of Permit Eligibility Related to Historic Places - For new facilities (to be built) and facilities expanding the perimeter of operations beyond existing footprints, the SWPPP must include documentation supporting the determination of permit eligibility with regard to Part I.D.6. (Historic Places). At minimum, the supporting documentation shall include the following:

- a. Information regarding the location of places listed, or eligible for listing, on the *State* or National Registers of Historic Places should be obtained by consulting with New York State Historic Preservation Office, Peebles Island Resource Center, P.O. Box 189, Waterford, NY 12188-0189, Phone: (518)

237-8643, or using the GIS online resources available at:

<http://nysparks.state.ny.us/shpo/>

- b. Information on whether the stormwater *discharges* or stormwater discharge-related activities would have the potential to affect a property (historic or archeological resource) that is listed or eligible for listing on the *State* or National Register of Historic Places.
- c. Where effects may occur, any written agreements that the *owner or operator* has made with the State Historic Preservation Office to mitigate those effects;
- d. Results of historic places screening determinations;
- e. A description of measures necessary to avoid or *minimize* adverse impacts on places listed, or eligible for listing, on the State or National Register of Historic Places. If the *owner or operator* fails to describe and implement such measures, the stormwater *discharge* is ineligible for coverage under this permit;

10. Monitoring and Sampling Data - The SWPPP must include:

- a. A summary of existing stormwater *discharge* sampling data taken at the facility
- b. Chain of Custody Records for samples collected and transported to an approved laboratory
- c. Laboratory reports of results of sample analysis
- d. Quarterly Visual Monitoring Reports
- e. Copies of *Discharge Monitoring Reports (DMRs)*
- f. Copies of *Annual Certification Reports (ACR)*
- g. A summary of all stormwater sampling data collected during the term of this permit

11. Copy of Permit Requirements – The *owner or operator* must maintain a copy of the permit with the SWPPP. The NOI Authorization Letter and all NOIs (including modifications) must be maintained in the SWPPP.

12. Inspection Schedule - The SWPPP shall contain the schedule for conducting inspections and all documentation resulting from inspection.

D. Signature and Stormwater Pollution Prevention Plan Availability

1. **Signature/Location** - The SWPPP shall be signed in accordance with Part V.H. and retained on-site at the facility covered by this permit in accordance with Parts III.C.11 and IV.E. For inactive facilities, the plan may be kept at the nearest office of the *owner or operator*. Failure to keep a copy of the SWPPP as specified above is a violation of the permit.
2. **Availability**
 - a. The *owner or operator* must keep a copy of the SWPPP on-site or locally available (when the site is unstaffed) to the *Department* for review at the time of an on-site inspection.
 - b. The *owner or operator* must furnish a copy of the SWPPP to the *Department*, local agency approving stormwater management plans, or the *owner* of a *municipal separate storm sewer system* receiving *discharge* from the site upon request. Also, in the interest of the public's right to know, the *owner or operator* must make a copy of the SWPPP available to the public within 14 days of receipt of a written request. The *owner or operator* shall identify on the NOI the location (URL # or physical location) and contact information to allow public access to the SWPPP. The NOI will be considered incomplete if this information is not provided. (Note: A facility may withhold justifiable portions of the SWPPP from public review that contain trade secrets, confidential commercial information or critical infrastructure information in accordance with 6 NYCRR 616.7).

E. Keeping SWPPPs Current

The *owner or operator* shall amend the SWPPP whenever:

1. There is a change in design, construction, operation, or maintenance at the facility which may have an effect on the potential for the *discharge of pollutants* from the facility which has not otherwise been addressed in the SWPPP; or
2. It is found to be ineffective in eliminating or significantly minimizing *pollutants* from sources identified under Part III.C., or is otherwise not achieving the goals or requirements of this permit. The SWPPP shall be modified, and additional monitoring and analysis shall be completed as follows:
 - a. SWPPP modifications
 - (1) Maps or description of industrial activities – If the SWPPP has been found to be inaccurate or incomplete, modifications must be completed to correct the deficiency(ies) identified.

- (2) Stormwater controls –The modification must identify the corrective actions needed and include a schedule for the implementation with a final date no later than 12 weeks unless special permission is obtained in writing from the *Department*. Failure to complete the required follow up action(s) is a violation of this permit.
- (3) Additional inspections monitoring and/or analysis- If the results of inspections, monitoring and/or analysis reveal a violation of this permit, a failure to maintain eligibility for coverage under this permit or a failure to comply with the *benchmarks* or other action levels in this permit, additional inspections, monitoring and/or laboratory analysis of stormwater samples may be required. Such requirements are set forth in the applicable Parts.

b. Deadlines for Corrective Actions

- (1) If existing *BMPs* need to be modified or if additional *BMPs* are necessary, implementation must be completed before the next anticipated storm event, if practicable, but not more than 12 weeks after completion of the comprehensive site evaluation or other inspection, unless permission for a later date is granted in writing by the *Department*.

For structural *BMPs* that will take longer than 12 weeks to implement, the owner or operator must request approval from the *Department*. Such request must be in writing and include a schedule for completing the proposed project.

- (2) Modifications required by the *Department* - The *Department* may notify the owner or operator at any time that the plan does not meet one or more of the minimum requirements of this permit. The notification shall identify those provisions of the permit that are not being met, as well as the required modifications. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the *Department*, the owner or operator shall make the required changes to the SWPPP and submit written notification to the *Department* that the changes have been made.

F. Special Stormwater Pollution Prevention Plan Requirements

1. Additional requirements for stormwater discharges associated with industrial activity that discharge into or through MS4s.

- a. In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal stormwater management programs developed under *SPDES* permits issued for the discharge of the MS4 that receives the facility's discharge, provided that the owner or operator has been notified of such conditions.

- b. *Owners or operators that discharge stormwater associated with industrial activity through an MS4, or a municipal system designated by the Department shall make their SWPPP available to the municipal operator of the system upon request.*
- 2. **Additional requirements for stormwater discharges associated with industrial activity from facilities subject to EPCRA Section 313 reporting requirements for Water Priority Chemicals** - Any potential *pollutant* sources for which the facility has reporting requirements under EPCRA 313 must be identified in the SWPPP in Part III.C.3. (Summary of Potential *Pollutant* Sources).
- 3. **Additional requirements for facilities with Secondary Containment at Storage and Transfer Areas** - Compliance must be maintained with all applicable regulations including, but not limited to, those involving releases, registration, handling and storage of petroleum, chemical bulk and hazardous waste storage facilities (6 NYCRR 595-599, 612-614 and 370-373). Stormwater *discharges* from handling and storage areas should be eliminated where practical. Where this is not feasible, the *owner or operator* shall comply with the following *BMPs*:
 - a. Loading/Unloading Areas - Loading and unloading areas shall be operated to *minimize* spills, leaks or the *discharge* of *pollutants* in stormwater. Protection such as roofs, overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Where this is not feasible, the *owner or operator* shall comply with the following *BMPs*:
 - (1) During deliveries, have staff familiar with spill prevention and response procedures present to ensure that any leaks/spills are immediately contained and cleaned up; and
 - (2) Use of spill and overflow protection (e.g., drip pans, drip diapers, and/or other containment devices placed beneath fuel oil connectors to contain potential spillage during deliveries or from leaks at the connectors).
 - b. Spill Cleanup - All spilled or leaked substances must be removed from secondary containment systems as soon as practical and for Chemical Bulk Storage (CBS) storage areas within 24 hours of the *owner or operator* discovering the spill, unless authorization is received from the *Department*. This permit does not relieve the *owner or operator* of any reporting or other requirement related to spills or other releases of petroleum or hazardous substances. [Also See Part II Special Condition B regarding releases of hazardous substances or petroleum.] The containment system must be thoroughly cleaned to remove any residual contamination which could cause contamination of stormwater and the resulting *discharge* of *pollutants* to *waters of the State*. Following spill cleanup the affected area must be completely flushed with clean water three times and the water removed after

each flushing for proper disposal in an on-site or off-site wastewater treatment plant designed to treat such water and permitted to *discharge* such wastewater. Alternately, the *owner or operator* may test the first batch of stormwater following the spill cleanup to determine *discharge* acceptability. If the water contains no *pollutants* it may be discharged, otherwise it must be disposed of as noted above. (See the Discharge Monitoring section below for the list of parameters to be sampled for.)

- c. Discharge Operation - Stormwater must be removed before it compromises the required containment system capacity. Each *discharge* may only proceed with the prior approval of the facility representative responsible for ensuring *SPDES* permit compliance. Bulk storage secondary containment drainage systems must be locked in a closed position except when the *owner or operator* is in the process of draining accumulated stormwater. Transfer area secondary containment drainage systems must be locked in a closed position during all transfers and must not be reopened unless the transfer area is clean of contaminants. Stormwater *discharges* from secondary containment systems should be avoided during periods of precipitation. A logbook shall be maintained on site noting, for each *discharge*:

- Screening method;
- Results of screening;
- Date time and volume; and,
- Supervising personnel.

- d. Discharge Screening - Prior to each *discharge*¹¹ from a secondary containment system the stormwater must be screened for contamination. (Note: All stormwater must be inspected for visible evidence of contamination.) Additional screening methods shall be developed by the *owner or operator* as part of the overall *BMP* Plan (e.g., the use of volatile gas meters to detect the presence of gross levels of gasoline or volatile organic compounds). If the screening indicates contamination, the *owner or operator* must collect and analyze a representative sample¹² of the stormwater. If the water contains no *pollutants*, the stormwater may be discharged. Otherwise it must either be disposed of in an onsite or off-site wastewater treatment plant designed to treat and permitted to *discharge* such wastewater, or the Regional Water Engineer can be contacted to determine if it may be discharged without treatment.

¹¹ Note: Discharge includes stormwater discharges and snow and ice removal. If applicable, a representative sample of snow and/or ice should be collected and allowed to melt prior to assessment.

¹² If the stored substance is gasoline or aviation fuel then sample for oil & grease, benzene, ethylbenzene, naphthalene, toluene and total xylenes (EPA method 602). If the stored substance is kerosene, diesel fuel, fuel oil, or lubricating oil then sample for oil & grease and polynuclear aromatic hydrocarbons (EPA method 610). In all cases an estimated discharge volume and pH monitoring is required.

- e. Discharge Monitoring. - Unless the *discharge* from any containment system outlet is permitted by an *individual SPDES permit* as an *outfall* with explicit effluent and monitoring requirements, the *owner or operator* shall monitor the outlet as follows:
 - (1) Storage Area Secondary Containment Systems - The volume of each *discharge* from each outlet must be monitored. *Discharge* volume may be calculated by measuring the depth of water within the containment area times the wetted area converted to gallons or by other suitable methods. A representative sample shall be collected of the first *discharge*¹⁰ following any cleaned up spill or leak. The sample must be analyzed for pH, the substance(s) stored within the containment area and any other *pollutants* the *owner or operator* knows or has reason to believe are present.¹¹
 - (2) Transfer Area Secondary Containment Systems - The first *discharge*¹⁰ following any spill or leak must be sampled for flow, pH, the substance(s) transferred in that area and any other *pollutants* the *owner or operator* knows or has reason to believe are present¹¹.
- f. Discharge Reporting - Any results of monitoring required above, must be maintained with the facility's SWPPP and retained in accordance with Parts III.C.10 & IV.E. Failure to perform the required monitoring shall constitute a violation of the terms of this permit.
- g. Prohibited Discharges - In all cases, any *discharge* which contains a visible sheen, foam, or odor, or may cause or contribute to a violation of water quality is prohibited.

4. Additional requirements for stormwater discharges associated with industrial activity to impaired waterbodies. Facilities that are discharging to an *impaired waterbody* that is included in the 303(d) list or in a watershed for which a *TMDL* has been developed and the cause of the impairment is a *pollutant* of concern included in the *benchmarks* and/or effluent limitations (see Appendix G) to which the facility is subject must include the following in their SWPP:

- a. Identification of Impaired Waterbody – Identify any *impaired waterbody* that may receive *stormwater discharges associated with industrial activity* from the facility and the cause of the waterbody's impairment.
- b. Pollutant(s) of Concern – A list of *pollutant(s)* or *pollutant parameter(s)* that have been handled, treated, stored or disposed of in a manner that would create the potential for the *pollutant* of concern causing the impairment to be discharged.
- c. Potential for Presence in Stormwater – Identify each area of the facility that generates *stormwater discharges associated with industrial activity* with a

reasonable potential to *discharge* the *pollutant(s)* of concern. Factors to consider include the likelihood of the *industrial activity* producing the *pollutant(s)* of concern to have contact with stormwater and a history of reportable leaks or spills that could result in the *pollutant(s)* of concern being *discharged* to the *impaired waterbody*.

- d. Stormwater Controls – The SWPPP shall include a description of the type and location of existing and planned *BMPs* selected for each of the areas where the *pollutant(s)* of concern are exposed to *stormwater*. The *BMPs* shall be selected to *minimize* the *pollutant(s)* of concern from being *discharged* to the *impaired waterbody*. The plan shall describe how each *BMP* is being, or will be implemented for all the areas where the *pollutant(s)* of concern will be exposed to *stormwater*. Selection of *BMPs* should take into consideration all *stormwater* controls listed in Part III.C.7.

Part IV. MONITORING, REPORTING AND RETENTION OF RECORDS

There are eight individual and separate categories of monitoring requirements that may apply to a facility with *discharges* authorized under this permit:

- Comprehensive Site Inspection
- Quarterly visual monitoring
- Annual dry weather flow monitoring
- *Benchmark monitoring*
- Coal pile runoff
- Compliance monitoring for *discharges* subject to *effluent limitations*
- Monitoring of *discharges* from secondary containment at storage and transfer areas
- Monitoring of *discharges* to *impaired waterbodies*

A. Comprehensive Site Compliance Inspection & Evaluation

The *owner or operator* shall conduct facility inspections (site compliance inspection) at least once a year. The inspections must be done by *qualified personnel* who may be either facility employees or outside consultants hired by the facility. The inspectors must be familiar with the *industrial activity*, the *BMPs*, the SWPPP, and must possess the skills to assess conditions at the facility that could impact stormwater quality and assess the effectiveness of the *BMPs* that have been chosen to control the quality of the stormwater *discharges*. If more frequent inspections are conducted, the SWPPP must specify the frequency of inspections.

1. Scope of the Compliance Inspection & Evaluation - Inspections must include all areas where industrial materials or activities are exposed to stormwater, as identified in Part III.C.3., and areas where spills and leaks have occurred within the past three years. At a minimum the inspection shall identify or include:

- a. Industrial materials, residue or trash on the ground that could contaminate or be washed away in stormwater;
- b. Leaks or spills from industrial equipment, drums, barrels, tanks or similar containers;
- c. Unauthorized non-stormwater *discharges* or allowable non-stormwater *discharges* that are not certified in accordance with Part III.C.7.(f)(1).;
- d. Off-site tracking of industrial materials or sediment where vehicles enter or exit the site or tracking of material outside of the area where it originates;
- e. Tracking or blowing of raw, final, or waste materials from areas of *no exposure* to exposed areas; and
- f. Evidence of, or the potential for, *pollutants* entering or discharging the drainage system.
- g. Inspection of areas found to be the source of *pollutants* observed during visual and analytical monitoring done during the year.
- h. Stormwater *BMPs* identified in the SWPPP must be observed to ensure that they are operating correctly.
- i. If *discharge* locations or points are accessible, they must be inspected to see whether *BMPs* are effective in preventing significant impacts to receiving waters. Where *discharge* locations are inaccessible, nearby downstream locations must be inspected.

2. Compliance inspection & evaluation report - A compliance inspection & evaluation report must be made and retained as part of the SWPPP for at least five (5) years from the date permit coverage expires or is terminated. At minimum, the report must include:

- a. The scope of the inspection,
- b. The name(s) of personnel making the inspection,
- c. The date(s) of the inspection,
- d. Major observations relating to the implementation of the SWPPP, including:
 - (1) the location(s) of *discharges of pollutants* from the site;
 - (2) the location(s) of previously unidentified *discharges of pollutants* from the site;

- (3) location(s) of *BMPs* that need to be maintained;
 - (4) location(s) of *BMPs* that failed to operate as designed or proved inadequate for a particular location;
 - (5) location(s) where additional *BMPs* are needed that did not exist at the time of inspection;
 - (6) any incidents of noncompliance; and,
 - (7) summary of results of sample analysis
- e. Required corrective actions (corrective actions completed in accordance with Part III.E.) must be recorded and retained with the SWPPP (Part III.C.12).
 - f. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the SWPPP and this permit.
 - g. The report shall be signed in accordance with Part V.H and kept with the SWPPP (Part III.C.12)
3. **Credit as a Routine Facility Inspection** - Where compliance inspection schedules overlap with routine inspections required under Part III.C.7.b., the annual compliance inspection may be used as one of the routine inspections.

B. Monitoring Requirements

The monitoring requirements applicable to a facility depend on the types of industrial activities generating stormwater runoff from the facility. Part VIII of the permit identifies monitoring requirements applicable to specific sectors of *industrial activity*. The *owner or operator* must review Parts III, IV and VIII; and Appendices C, D, E and G of the permit to determine which monitoring requirements and/or numeric limitations apply to the facility. Unless otherwise specified, monitoring requirements under Parts III, IV and VIII are additive. Specific monitoring requirements and limitations are applied to each *discharge* at a facility. Where stormwater from *co-located* activities are commingled, the monitoring requirements and limitations are additive. Where more than one numeric limitation for a specific parameter applies to a *discharge*, compliance with the more restrictive limitation is required. Where monitoring requirements for a monitoring period overlap (e.g., need to monitor TSS once/year for compliance monitoring and also once/year for *benchmark monitoring*), the *owner or operator* may use a single sample to satisfy both monitoring requirements.

1. Monitoring Requirements, Analysis and Limitations

- a. **Quarterly visual monitoring** - The requirements and procedures for quarterly visual monitoring are applicable to all facilities covered under this permit, regardless of the facility's *industrial activity*
- (1) The examination(s) must be made at least once in each of the following three month periods:
 - January through March,
 - April through June,
 - July through September, and
 - October through December.
 - (2) All samples must be collected from *discharges* resulting from a *qualifying storm event*, in accordance with Part IV.B.2.b.(1).
 - (3) The *owner or operator* must perform and document a quarterly visual examination of a stormwater *discharge* associated with *industrial activity* from each *outfall* unless:
 - A valid waiver is claimed in accordance with Part IV.B.4 or
 - There is no *discharge* from a *qualifying storm event* during a monitoring period. If no *qualifying storm event* resulted in runoff from the facility during a monitoring quarter, the *owner or operator* is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no *qualifying storm event* occurred that resulted in stormwater runoff during that quarter. If a visual examination was performed and the storm event was later determined not to be a measurable (greater than 0.1 inch rainfall) storm event, the visual examination should be included in the SWPPP records.
 - (4) No analytical tests are required to be performed on the samples for the purpose of meeting the visual monitoring requirements.
 - The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and any other obvious indicators of stormwater pollution.
 - The examination must be conducted in a well-lit area.
 - Where practicable, the same individual should carry out the collection and examination of *discharges* for the entire permit term for consistency.

- (5) Corrective and Follow Up Actions - If the visual examination indicates the presence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators), the *owner or operator* must, at minimum, complete and document the following actions:
- (a) Evaluate the facility for potential sources of stormwater contamination.
 - (b) Remedy the problems identified - Any sources of contamination that are identified must be addressed by implementation of non-structural and/or structural *BMPs* to prevent recurrence.
 - (c) Revise the facility's SWPPP in accordance with Parts III.E.
 - (d) Perform an additional visual inspection during the first *qualifying storm event* following implementation of the corrective action. If the first *qualifying storm event* does not occur until the next quarterly monitoring period, this follow up action may be used as the next quarterly visual inspection.
- (6) Storm Event Data must be recorded in accordance with Part IV.B.2.c.
- (7) All documentation must be signed and certified in accordance with Part V.H
- (8) The visual examination must be documented and maintained on-site with the Stormwater Pollution Prevention Plan (SWPPP) in accordance with Parts III.C.10 & IV.C. The report must include:
- *Outfall* location;
 - Examination date and time;
 - Personnel conducting the examination;
 - Nature of the *discharge* (i.e., runoff or snow melt);
 - Visual quality of the stormwater *discharge* (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollution);
 - Probable sources of any observed stormwater contamination; and,
 - Actions taken or proposed to be taken to eliminate these sources.

A Quarterly Visual Monitoring Form and fact sheet are available on the DEC website (<http://www.dec.ny.gov/chemical/62803.html>).

- b. **Annual dry weather flow monitoring** - The requirements and procedures for annual dry weather flow monitoring are applicable to all facilities covered under this permit, regardless of the facility's sector of *industrial activity*.
- (1) The *owner or operator* must perform and document at least one dry weather flow inspection each year after at least three (3) consecutive days of no precipitation. The dry weather flow inspection shall be conducted to determine the presence of non-stormwater *discharges* to the stormwater drainage system.
 - (2) The dry weather inspection shall be documented in an inspection report which must include the *outfall* locations, the inspection date and time, inspection personnel, description of *discharges* identified, the source of any *discharges* and actions taken to address any newly identified allowable non-stormwater *discharges* or elimination of non-authorized *discharges*.
 - (3) Corrective and Follow Up Actions - If a non-stormwater *discharge* is discovered, the *owner or operator* must, at minimum, complete and document the following actions:
 - (a) Identify its source to determine whether it is an authorized *discharge* (e.g, a *discharge* covered by another *SPDES* permit or an authorized non-stormwater *discharge* addressed under Part I.C.3).
 - (b) If it is determined that the *discharge* is not covered under this permit or another *SPDES* permit, the *owner or operator* shall take immediate action to eliminate the *discharge*.
 - (c) If it is not possible to immediately eliminate the *discharge*, the *owner or operator* must notify the *Department* within 14 days. Appropriate actions may require coverage under an individual industrial *SPDES* permit or connection to the sanitary sewer system. Planned changes or anticipated non-compliance, does not stay any permit condition.
 - (d) The *owner or operator* shall modify the SWPPP to address any newly identified allowable non-stormwater *discharges* identified in Part I.C.3 that were not previously certified in accordance with Part III.C.7.f.(1).
 - (4) The dry weather flow inspections reports of Part III.C.7.f.(1) must be documented and retained on-site with the SWPPP in accordance with Part III.C.12 and Part IV.E.

- c. **Benchmark Monitoring of discharges associated with specific industrial activities** The requirements and procedures for *benchmark monitoring* apply to *discharges* associated with specific industrial activities identified in Part VIII (summarized in Appendix C). *Co-located industrial activities* at the facility that are described in more than one sector in Part VIII must comply with all applicable *benchmark monitoring* requirements from each sector.
- (1) **Monitoring periods for benchmark monitoring** - If a facility falls within a sector(s) required to conduct *benchmark monitoring*, monitoring must be performed annually during the calendar year. Facilities with seasonal operations or operations with duration of less than one year must complete the required *benchmark monitoring* during the period of operation at least once during each calendar year in which the operation occurs.
 - (2) All samples must be collected from *discharges* resulting from a *qualifying storm event*, in accordance with Part IV.B.2.b.(1).
 - (3) The *permittee* must perform and document annual *benchmark monitoring* of a stormwater *discharge* associated with *industrial activity* from each *outfall* unless:
 - A valid waiver is claimed in accordance with Part IV.B.4, or
 - There is no *discharge* from a *qualifying storm event* during a monitoring period. If no *qualifying storm event* resulted in runoff from the facility during a calendar year, the *owner or operator* is excused from *benchmark monitoring* for that monitoring period, provided that documentation is included with the monitoring records indicating that no *qualifying storm event* occurred that resulted in stormwater runoff during that year. If a *benchmark* sample was collected during a storm event that was later determined not to be a measurable (greater than 0.1 inch rainfall) storm event, the results should be included in the SWPPP records, but the *owner or operator* is not required to report results on the annual *DMR*. (Note: *DMRs* must be submitted in accordance with Part IV.C.2).
 - (4) All samples must be analyzed in accordance with Part IV.B.2.b.(2) and (3).
 - (5) **Evaluation of Results of Analysis** - The *owner or operator* must refer to the tables found in the individual sectors in Part VIII for *benchmark monitoring cut-off concentrations*. The *benchmark monitoring cut-off concentrations* are intended as a guideline for the *owner or operator* to determine the overall effectiveness of the SWPPP in controlling the *discharge* of *pollutants* to receiving waters. The *benchmark* concentrations do not constitute direct *effluent limitations*. Therefore, a *benchmark* exceedance is not a permit violation in and of itself. It does,

however, signal the need for the *owner or operator* to evaluate potential sources of stormwater contaminants at the facility.

(6) Corrective and Follow Up Actions – If results of analysis of a benchmark sample exceed a cut-off concentration for one or more parameters, the *owner or operator* must:

- (a) Evaluate the facility for potential sources of stormwater contamination.
- (b) Remedy the problems identified - Any sources of contamination that are identified must be addressed by implementation of non-structural and/or structural *BMPs* to prevent recurrence.
- (c) Revise the facility's SWPPP in accordance with Part III.E.
- (d) Collect an additional sample to determine the effectiveness of corrective actions. Facilities with an exceedance of a benchmark cutoff concentration in a calendar year must collect a stormwater sample at the *outfall* where the exceedance occurred during the first six months of the following calendar year (January 1 to June 30), and complete analysis for the pollutant(s) that exceeded the benchmark cutoff concentration. This sample collection and analysis is in addition to the sample collection required in Part IV.B.1.c (1) for the calendar year. The sample may not be collected during the same storm event as the benchmark sample collected to satisfy Part IV.B.1.c (1).
 - (i) If no *qualifying storm event* occurs during the first six months of the calendar year following the year in which the exceedance occurred, the *owner or operator* must complete the additional sample and analysis during the next six months of the year.
 - (ii) Results of analysis of the follow up benchmark sample must be reported on the Corrective Action Form provided by the *Department* by July 31st of the calendar year in which the sample is collected.
 - (iii) If corrective actions at a facility do not result in achieving *benchmark monitoring cut-off concentrations*, the facility must continue efforts to implement additional *BMPs*. Failure to undertake and document the review and/or take the necessary corrective actions are violations of the permit. Continued exceedance of *benchmark monitoring cut-off concentrations* may identify facilities that would be

more appropriately covered under an individual *SPDES* permit.

- (iv) If it is determined that the exceedances of the benchmark are attributable solely to the presence of that *pollutant* in the *natural background* the *owner or operator* may request relief from the additional sampling above by completing the Corrective Action Sampling Waiver Form provided by the *Department*.

(7) Storm Event Data must be recorded in accordance with Part IV.B.2.c.

(8) All documentation must be signed and certified in accordance with Part V.H.

(9) Monitoring results must be reported in accordance with Part IV.C.2 and retained in accordance with Part III.C.10 and Part IV.E.

- d. **Coal pile runoff** - Facilities with *discharges* of stormwater from coal storage piles must comply with the limitations and monitoring requirements of Table IV-1 for all *discharges* containing the coal pile runoff, regardless of the facility's sector of *industrial activity*.

(1) *Owner or operators* shall monitor such stormwater *discharges* at least annually during the calendar year. Facilities with seasonal operations or operations with duration of less than one year must complete the required *benchmark monitoring* during the period of operation at least once during each calendar year in which the operation occurs.

(2) Samples must be collected in accordance with Part IV.B.2.b.

(3) The coal pile runoff must not be diluted with stormwater or other flows in order to meet this limitation.

(4) If a facility is designed, constructed and operated to treat the volume of coal pile runoff that is associated with a 10-year, 24-hour rainfall event, any untreated overflow of coal pile runoff from the treatment unit is not subject to the 50 mg/L limitation for total suspended solids.

(5) Evaluation of Results of Analysis - The *owner or operator* must refer to Table IV-1 for *effluent limitations*. An exceedance of an *effluent limitation* is a violation of this permit, except as allowable per Part IV. B.1.d (4).

(6) Corrective and Follow up Actions must be completed in accordance with Part IV.B.1.e (5).

(7) Storm Event Data must be recorded in accordance with Part IV.B.2.c.

- (8) All documentation must be signed and certified in accordance with Part V.H.

TABLE IV-1. Numeric Limitations for Coal Pile Runoff			
Parameter	Limit	Monitoring Frequency	Sample Type
Total Suspended Solids (TSS)	50 mg/l, max.	1/year	Grab
pH	6.0 - 9.0 min. and max.	1/year	Grab

- e. **Compliance monitoring for discharges subject to effluent limitation guidelines** Activity-specific *effluent limitations* and compliance monitoring requirements are described in Part VIII and summarized in Appendix D of the permit. *Co-located industrial activities* at the facility that are described in more than one sector in Part VIII must comply on a *discharge-by-discharge* basis with all applicable *effluent limitations* from each sector.
- (1) **Monitoring periods for compliance monitoring** - If a facility has *discharges* required to conduct monitoring to evaluate compliance with *effluent limitations*, monitoring must be performed annually during the calendar year. Facilities with seasonal operations or operations with duration of less than one year must complete the required compliance monitoring during the period of operation at least once during each calendar year in which the operation occurs.
 - (2) Samples (other than *discharges* from mine dewatering) must be collected in accordance with Part IV.B.2.b.
 - (3) The *owner or operator* must perform and document annual compliance monitoring of *stormwater discharges associated with industrial activity* from each *outfall* subject to numeric *effluent limitation guidelines* unless:
 - A valid waiver is claimed in accordance with Part IV.B.4 (Note: The representative *outfalls* provision of Part IV.B.4.d and the alternative certification provision of Part IV.B.4.b, are not applicable to monitoring for compliance with *effluent limitations*), or
 - There are no *discharges* subject to *effluent limitation guidelines* from a *qualifying storm event* during the monitoring period. If no *qualifying storm event* resulted in runoff from the facility during a calendar year,

the *owner or operator* is excused from compliance monitoring for that monitoring period, provided that documentation is included with the monitoring records indicating that no *qualifying storm event* occurred that resulted in stormwater runoff during that year. If a compliance monitoring sample was collected during a storm event that was later determined not to be a *measurable storm event*, the results should be included in the SWPPP records, but the *owner or operator* is not required to report results on the annual *DMR*. (Note: *DMRs* must be submitted in accordance with Part IV.C.2).

- (4) All samples must be analyzed in accordance with Part IV.B.2.b.(2) and (3).
- (5) Corrective and Follow Up Actions - Exceedance of *Effluent Limitation Guidelines* constitute a permit violation. If results of one or more parameters for which analysis of a compliance monitoring sample was required exceeds the applicable effluent limitation, the *owner or operator* must:
 - (a) Identify the cause of the exceedance of the effluent limitation(s).
 - (b) Remedy the problems identified - Any source of contamination identified must be addressed by implementation of non-structural and/or structural *BMPs* to prevent recurrence.
 - (c) Revise the facility's SWPPP in accordance with Part III.E.
 - (d) Collect an additional sample to determine the effectiveness of corrective actions.
 - (e) Facilities with an exceedance of one or more effluent limits in a calendar year must collect a stormwater sample at the *outfall* where the exceedance occurred during the first six months of the following calendar year (January 1 to June 30), and complete analysis for the pollutant(s) that exceeded the effluent limit. This sample collection and analysis is in addition to the sample collection required in Part IV.B.1.e (1) for the calendar year. The sample may not be collected during the same storm event as the sample collected to satisfy Part IV.B.1.e (1).
 - (i) If no *qualifying storm event* occurs during the first six months of the calendar year following the year in which the exceedance occurred, the *owner or operator* must complete the additional sample and analysis during the next six months of the year.

Part IV.B.1.e.(5).(e).(ii). to Part IV.B.1.f.(2).

- (ii) Results of analysis of the follow up compliance sample must be reported on the Corrective Action Form provided by the *Department* by July 31st of the calendar year in which the sample is collected.
 - (iii) If corrective actions at a facility do not result in achieving *effluent limitations*, the facility must continue efforts to implement additional *BMPs*. Failures to undertake and document the review and/or take the necessary corrective actions are violations of the permit. Continued exceedance of *effluent limitations* may identify facilities that would be more appropriately covered under an individual *SPDES* permit.
 - (iv) If it is determined that the exceedances of the effluent limits are attributable solely to the presence of that *pollutant* in the *natural background* the *owner or operator* may request relief from the additional sampling above by completing the Corrective Action Sampling Waiver Form provided by the *Department*.
- (6) Storm Event Data must be recorded in accordance with Part IV.B.2.c.
- (7) All documentation must be signed and certified in accordance with Part V.H.
- (8) Samples must be collected in accordance with Part IV.B.2.b.
- (9) Results of all compliance monitoring must be reported in accordance with Part IV.C.2 and retained in accordance with Part III.C.10 and Part IV.E.
- f. **Secondary Containment at Storage and Transfer Areas** - *Discharge* screening and monitoring for bulk storage and transfer area secondary containment systems shall be in accordance with Part III.F.3:
- (1) **Storage Area Secondary Containment Systems** - The volume of each *discharge* from each outlet must be monitored. A representative sample shall be collected of the first *discharge* following any cleaned up spill or leak. The sample must be analyzed for pH, the substance(s) stored within the containment area and any other *pollutants* the *owner or operator* knows or has reason to believe are present.
 - (2) **Transfer Area Secondary Containment Systems** - The first *discharge* following any spill or leak must be sampled for flow, pH, the substance(s) transferred in that area and any other *pollutants* the *owner or operator* knows or has reason to believe are present.

(3) *Discharge Reporting* – All monitoring records must be maintained with the facility's SWPPP and retained in accordance with Part III.C.10 and Part IV.E.

(4) Sample analyses shall be done in accordance with Part IV.B.2.b (2) and (3).

g. **Compliance monitoring for discharges to impaired waterbodies** – If a facility *discharges* to an *impaired waterbody* and the cause of impairment is a *pollutant* of concern included in the *benchmarks* and/or *effluent limitations* to which the facility is subject to in Part VIII, the facility is required to conduct the additional sampling requirements detailed below for that particular *pollutant(s)* only. The compliance monitoring for *discharges* to impaired waterbodies is in addition to any applicable sector specific *Benchmark Monitoring* in Part IV.B.1.c and compliance monitoring in Part IV.B.1.e. A summary of the applicable *benchmarks* and/or *effluent limits* associated with the *pollutant* of concern to an *impaired waterbody* and their applicable sector is located in Appendix G.

(1) **Monitoring periods for compliance monitoring for discharges to impaired waterbodies** – Monitoring must be conducted at least once in each of the following three month periods:

- January through March,
- April through June,
- July through September, and
- October through December.

(2) All samples must be collected from *discharges* resulting from a *qualifying storm event*, in accordance with part IV.B.2.b.(1).

(3) The *owner or operator* must perform and document the quarterly compliance monitoring of *stormwater discharges associated with industrial activity* to *impaired waterbodies* from each *outfall* unless:

- A valid waiver is claimed in accordance with Part IV.B.4 (Note: The representative *outfalls* provision of Part IV.B.4.d and the alternative certification provision of Part IV.B.4.b, are not applicable to monitoring for *discharges* to an *impaired waterbody*), or
- There are no *discharges* from a *qualify storm event* during a monitoring period. If no *qualifying storm event* resulted in runoff from the facility during the three month period, the *owner or operator* is excused from the additional monitoring requirements for that

Continue Part IV.B.1.g.(3). to Part IV.B.1.g.(6).(c).

monitoring period, provided that documentation is included with the monitoring records indicating that no *qualifying storm event* occurred that resulted in stormwater runoff during that quarter. If a monitoring sample was collected during a storm event that was later determined not to be a *measurable storm event*, the results should be included in the SWPPP records, but the *owner or operator* is not required to include results on the quarterly *DMR*. (Note: *DMRs* must be submitted in accordance with Part IV.C.2).

- (4) All samples must be analyzed in accordance with Part IV.B.2.b.(2) and (3).
- (5) Evaluation of Results of Analysis - The *owner or operator* must refer to the tables found in the individual sectors in Part VIII for *benchmark monitoring cut-off concentrations* and *effluent limitation guidelines* and evaluate the sampling results as follows:
 - (a) *Benchmark monitoring cut-off concentrations* are intended as a guideline for the *owner or operator* to determine the overall effectiveness of the SWPPP in controlling the *discharge of pollutants* to receiving waters. The *benchmark* concentrations do not constitute direct *effluent limitations*. Therefore, a *benchmark* exceedance is not a permit violation in and of itself. It does, however, signal the need for the *owner or operator* to evaluate potential sources of stormwater contaminants at the facility
 - (b) Exceedance of *Effluent Limitation Guidelines* constitutes a permit violation. If the results of one or more parameters for which analysis of a compliance monitoring sample was required exceeds the applicable effluent limitation, the *owner or operator* must institute a corrective action(s).
- (6) Corrective and Follow Up Actions - If the results of one or more parameters for which analysis of a compliance monitoring sample was required exceeds the applicable *benchmark* or *effluent limitation*, the *owner or operator* must:
 - (a) Identify the cause of the exceedance of the benchmark(s) and/or effluent limitation(s).
 - (b) Remedy the problems identified - Any source of contamination identified must be addressed by implementation of non-structural and/or structural *BMPs* to prevent recurrence.
 - (c) Revise the facility's SWPPP in accordance with Part III.E.

- (d) Results of the exceedance(s) and correction action(s) taken must be reported on the Corrective Action Form provided by the *Department* no later than 14 days after the end of the monitoring period in which the exceedance(s) occurred.
 - (i) If corrective actions at a facility do not result in achieving *benchmark monitoring cut-off concentrations* and/or *effluent limitation guidelines*, the facility must continue efforts to implement additional *BMPs*. Failures to undertake and document the review and/or take the necessary corrective actions are violations of the permit. Continued exceedance of *benchmark cut-off concentrations* and/or *effluent limitations guidelines* for discharges to impaired waterbodies may identify facilities that would be more appropriately covered under an individual *SPDES* permit.
- (7) Storm Event Data must be recorded in accordance with Part IV.B.2.c.
- (8) All documentation must be signed and certified in accordance with Part V.H.
- (9) Samples must be collected in accordance with Part IV.B.2.b.
- (10) Results of all compliance monitoring must be reported in accordance with Part IV.C.2 and retained in accordance with Part III.C.10 and Part IV.E.

2. Monitoring Instructions

- a. **Monitoring periods** - *Owner or operators* that are required to conduct *Benchmark* or *Effluent Limitation Guideline* monitoring on an annual basis must collect samples within the following time periods (unless otherwise specified in Part IV.B.3 (Monitoring Required by the *Department*)):
 - (1) The monitoring period for annual sample requirements is a calendar year (January 1 to December 31). Facilities with seasonal operations or operations with duration of less than one year must complete the required monitoring during the period of operation at least once during each calendar year in which the operation occurs.
 - (2) If a facility's permit coverage was effective less than one month from the end of a quarterly or yearly monitoring period, the first period starts with the next respective monitoring period (e.g., if permit coverage begins September 5, the *permittee* would not need to start quarterly sampling until October to December

quarter, but the *permittee* would only have from September 5 to December 31 to complete that year's annual monitoring.

- b. **Collection and analysis of samples** - Sampling requirements must be assessed on an *outfall by outfall* basis. Samples must be collected as follows:

- (1) **When and How to Sample** - Except for snowmelt samples, a minimum of one grab sample must be taken from the *stormwater discharge associated with industrial activity* resulting from a storm event with at least 0.1 inch of precipitation (defined as a "measurable" event), providing the interval from the preceding measurable storm is at least 72 hours. The 72-hour storm interval is waived if the preceding measurable storm did not result in a *stormwater discharge* (e.g., a storm events in excess of 0.1 inches may not result in a *stormwater discharge* at some facilities), or if the *owner or operator* is able to document that less than a 72 hour interval is representative for local storm events during the sampling period.

The grab sample must be taken during the first 30 minutes (or as soon thereafter as practical, but not to exceed one hour) of the *discharge*. If the sampled *discharge* commingles with non-stormwater water, the *owner or operator* must attempt to sample the *stormwater discharge* before it mixes.

- (2) **Sample Analysis** - Monitoring and analysis must be conducted according to test procedures approved under 40 CFR Part 136, or equivalent, unless other test procedures have been specified in this permit.

- (3) Any laboratory test or sample analysis required by this permit for which the *State* Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory that has been issued a certificate of approval (ELAP certified).

- c. **Storm event data** - Along with the monitoring results, the *owner or operator* must provide storm event documentation using the Storm Event Data Form provided by the *Department*. Data to be collected include the following:

- The date and duration (in hours) of the storm event(s) sampled;
- Rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff;
- The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

3. **Monitoring Required by the Department** - The *Department* may provide written notice to any facility (including those otherwise exempt from sampling) requiring *discharge* sampling for specific parameters and a specific monitoring frequency in accordance with Part.1.B.3.

4. Monitoring Waivers - Unless specifically stated otherwise, the following waivers may be applied to any monitoring required under this permit.

- a. Adverse Climatic Conditions Waiver - When adverse weather conditions prevent the collection of samples, a sample may be taken during a *qualifying storm event* in the next monitoring period. Adverse weather conditions are those that are dangerous or create inaccessibility for personnel. This waiver may be claimed if the only qualifying event in a monitoring period (e.g. a calendar year for *benchmark monitoring*) created dangerous conditions for personnel, created conditions which made the sample location inaccessible or made collection of a sample impossible. Examples of these conditions include but not limited to local flooding, high winds and electrical storms. This waiver may not be claimed to indicate that samples were not collected due to inconvenient timing of storms or other failures to collect stormwater samples.

If the Adverse Climatic Conditions Waiver is claimed a certification of conditions leading to the claim must be signed and submitted with the *ACR* and associated *DMR(s)* in accordance with Part V.H and maintained with the SWPPP.

- b. Alternative certification of "Not Present" or "No Exposure" - A facility may qualify for a waiver from *benchmark monitoring* on an *outfall-by-outfall* or *pollutant-by-pollutant* basis if a condition of "Not Present" or "No Exposure" is met for an entire monitoring period. (A *benchmark monitoring* period is a calendar year for most facilities.). This monitoring waiver is not applicable to compliance monitoring of coal pile run-off or *discharges* subject to numerical *effluent limitations* established in Parts IV and VIII. :

A claim of this waiver will only be accepted in fulfillment of the *benchmark monitoring* requirement if, for each *outfall* and parameter for which a waiver is being claimed:

- (1) Results of all analyses (at least one) of stormwater sample(s) collected prior to claiming this waiver, support the assertion that the concentration of the pollutant(s) of concern is/are at or below the Practical Quantification Limit (PQR).
- (2) Supporting documentation, such as structural *BMPs* utilized to maintain a condition of *no exposure* and/or a certification that the substance is not present or not exposed to precipitation on site is submitted with the *DMRs* and maintained with the SWPPP. The certification must state that the *pollutant* for which the waiver is being claimed is not present on site and/or material handling, equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or *significant materials* from past *industrial activity* that are located in areas of the facility within the

drainage area of each *outfall* for which the waiver is being claimed were not exposed to stormwater during the certification period.

- (3) The certification is signed in accordance with Part V.H and submitted with the *ACR* and *DMR*.

- c. Inactive and unstaffed sites - An Annual Comprehensive Site Inspection (Part IV.A) is not required at a facility that is inactive and unstaffed for an entire monitoring period and if no industrial materials or activities are exposed to stormwater for the entire monitoring period. Facilities covered under Sector J are not required to meet the requirement that no materials are exposed to stormwater; however adequate stormwater controls must be in place to prevent migration of contaminated stormwater to surface water. If this waiver is exercised, the *owner or operator* must:

- (1) Maintain a certification with the SWPPP stating the dates the site is inactive and unstaffed and that performing visual examinations or *benchmark and compliance monitoring* during a *qualifying storm event* is not feasible.

- (2) A Dry Weather Flow Inspection (Part IV.B.1.b) must be performed prior to shut down, recorded and maintained in the SWPPP. The certification must include the results of the Dry Weather Flow Inspection performed prior to shut down.

- (3) The certification is signed in accordance with Part V.H and submitted with the *ACR* and *DMR*.

- d. Representative outfalls - If a facility has two or more *outfalls* that *discharge* substantially identical effluents, based on similarities of the industrial activities, *significant materials* or stormwater management practices occurring within the drainage areas of the *outfalls*, the *owner or operator* may test the effluent of just one of the *outfalls* and report that the quantitative data also applies to the substantially identical *outfall(s)*. This *outfall* monitoring waiver for substantially identical *discharges* applies to quarterly visual monitoring and *benchmark monitoring*, but does not apply to compliance monitoring for *discharges* subject to *effluent limitation guidelines*. The *owner or operator* must collect a sample from the anticipated "worst case" *outfall* as indicated by the area or level of *industrial activity*. A representative waiver may not be claimed at *outfalls* with *discharges* associated with different industrial activities. If the drainage areas are similar, or if all past monitoring has been below *benchmark monitoring cut-off concentrations*, *owner or operator* may vary which *outfall* is sampled as part of the monitoring program. If there is an event that triggers corrective action at an *outfall* that represents other substantially identical *outfalls*, corrective and follow up actions must be completed for all *outfalls* claiming the waiver. The *owner or operator* must

include the following information in the SWPPP, and in any reports that are required to be submitted to the *Department*:

- (1) The locations of the *outfalls*;
- (2) Why the *outfalls* are expected to *discharge* substantially identical effluents;
- (3) Estimates of the size of the drainage area (in square feet) for each of the *outfalls*; and An estimate of the *runoff coefficient* of the drainage areas (low: under 40%; medium: 40% to 65%; high: above 65%).

C. Reporting Monitoring Results and Annual Certification Reporting

Owners or operators must submit *ACRs*, *DMRs* (if required) and other documentation for activities for facilities with coverage that becomes effective on or before October 30 of calendar year.

1. **Annual Certification Report (ACR)** - The *ACR* is the primary mechanism for reporting to the *Department*. Every facility covered by this general permit must complete and submit an *ACR* form in accordance with the submission deadlines in Part IV.D -Table IV-2.
2. **Discharge Monitoring Report (DMR)** – The *owner or operator* with Benchmark and/or *Effluent Limitation Guideline* monitoring requirements shall submit results of analysis for each parameter at each *outfall* associated with *industrial activity* on *DMR* forms provided by the *Department*. The completed *DMR* forms and any additional monitoring requested by the *Department*, where applicable, must be submitted along with the *ACR*.
3. **Monitoring waivers** - Any sampling waivers (including representative *outfalls* or monitoring at inactive/unstaffed sites) must be described using the form provided by the *Department*. Information should describe the sampling waiver being claimed, the monitoring period(s) for which the monitoring waiver is being claimed, the affected *outfall(s)* and specific parameters (in the case of the alternative certification for "not present" or "*no exposure*"¹³) and all additional information specified for the specific waivers being claimed. Only waivers applied in conformance with the terms and conditions of this permit are accepted in fulfillment of monitoring requirements. In order for a waiver to be accepted in lieu of benchmark and/or compliance monitoring requirements, *DMRs* signed in accordance with Part V.H must be submitted with a notation in the comments section of the *DMR* indicating the waiver being claimed.

¹³ For the purpose of the alternative certification of "Not Present" monitoring waiver, at least one annual sampling event for benchmark parameters must be conducted and documented to be at or below the Practical Quantitation Limit (PQL), which is typically 3 times the analytical Method Detection Levels (MDL). An exception to using the PQL would be a condition where the *benchmark monitoring* cut-off concentration is less than the PQL. Under these circumstances, the sample result must be below the MDL to qualify for the monitoring waiver

4. Additional reporting

- a. **Report of Non-Compliance Event-** If results of analysis of a sample collected to fulfill a compliance monitoring requirement exceed the applicable *Effluent Limitation Guideline*, a Report of Non-Compliance Event Form must be submitted along with the *DMR*.
 - b. In addition to filing the *ACRs* and *DMRs*, *owner or operators* with at least one stormwater discharge associated with industrial activity through an *MS4*, or a municipal system designated by the *Department*, must submit signed copies of *ACRs* and *DMRs* for those outfalls to the *MS4* operator at the same time.
- 5. Mailing Address** – The *ACRs*, *DMRs* (if required), documentation to support claims of monitoring waivers, Reports of Non-Compliance (Parts IV.B.3 and 4, respectively) must be submitted to:

MSGP Permit Coordinator
NYSDEC, Bureau of Water Compliance
625 Broadway
Albany, New York 12233-3506

D. Monitoring Reporting Submission Deadlines

Every facility covered by this general permit must complete and submit all applicable monitoring reports by the submission deadlines listed in the table below.

Table IV-2 Monitoring/Report Submission Deadlines	
Monitoring type	Submission Deadline
Visual Monitoring	Retain documentation on-site with SWPPP.
Dry Weather Flow Inspection	Retain documentation on-site with SWPPP.
Annual Certification Report	Report must be received in the <i>Department's</i> Central Office no later than February 28 of the year following the reporting period.
Benchmark Monitoring	Results must be received on a <i>Discharge Monitoring Report</i> form in the <i>Department's</i> Central Office no later than February 28 of the year following the reporting period.
Coal Pile Run-off	Results must be received on a <i>Discharge Monitoring Report</i> form in the <i>Department's</i> Central Office no later than February 28 of the year following the reporting period.
Monitoring for Effluent Numeric Limitation	Results must be received on a <i>Discharge Monitoring Report</i> form in the <i>Department's</i> Central Office no later than February 28 of the year following the reporting period.
Monitoring for Bulk Storage and Loading/Unloading Areas	Retain documentation on-site with SWPPP.
Discharge from Secondary Containment	Retain logbook of <i>discharges</i> , including the screening method, results of screening; date, time and volume of each <i>discharge</i> ; and the personnel supervising each <i>discharge</i> .
Monitoring for Discharges to Impaired Waterbodies	Results must be received on a <i>Discharge Monitoring Report</i> form in the <i>Department's</i> Central Office no later than 28 days following the reporting period.

E. Retention of Monitoring Records

Monitoring records must be retained to meet both of the following requirements:

- 1. Stormwater Pollution Prevention Plan (SWPPP) -** The *owner or operator* shall retain the SWPPP developed in accordance with Part III of this permit until at least five years after coverage under this permit terminates. The *owner or operator* shall retain all records of monitoring information, copies of all reports required by this permit, and records of all data used to complete the NOI and/or NOM forms to be covered by this permit, until at least 5 years after coverage under this permit

terminates. This period may be explicitly modified by or extended by request of the *Department* at any time; and

2. Recording of Monitoring Activities and Results - Records must be maintained as follows in accordance with 6 NYCRR Part 750-2.5(c):

- a. The *owner or operator* shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by a *SPDES* permit, and records of all data used to complete the application for the permit, for a period of at least 5 years from the date of the sample, measurement, report or application. This period may be extended by written request of the *Department*, provided that the extension is necessary to implement the provisions of this Part or *ECL* and that the reason or reasons for the extension are provided in the request.
- b. Records of monitoring information shall include:
 - (1) the date, exact place, and time of sampling or measurements;
 - (2) the individual(s) who performed the sampling or measurements;
 - (3) the date(s) analyses were performed;
 - (4) the individual(s) who performed the analyses;
 - (5) the analytical techniques or methods used;
 - (6) the results of such analyses; and
 - (7) Quality assurance/quality control documentation.
- c. When records are stored electronically, the records must be preserved in a manner that reasonably assures their integrity and are acceptable to the *Department*. Such records must also be in a format which is accessible to the *Department*.
- d. The *owner or operator* shall make available to the *Department* for inspection and copying or furnish to the *Department* within 14 days of receipt of a *Department* request for such information, any information retained in accordance with this subdivision

Part V. STANDARD PERMIT CONDITIONS

A. Duty to Comply

The *owner or operator* must comply with all terms and conditions of the permit. Any permit noncompliance constitutes a violation of the *Environmental Conservation Law* and the Clean Water Act and is grounds for enforcement action, permit suspension, revocation, modification or denial of a permit renewal application.

B. Continuation of the Expired General Permit

In the event a new general permit is not issued prior to termination of this general permit, then the *owner or operator* may continue to operate and *discharge* in accordance with the terms and conditions of this general permit until such time that a new general permit is issued.

C. Penalties for Violations of Permit Conditions

There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

E. Duty to Mitigate

The *owner or operator* shall take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information

The *owner or operator* shall furnish to the *Department*, within a specified time, any information requested to determine compliance with this permit in accordance with 6 NYCRR Part 750-2.1(i). The *owner or operator* shall also furnish upon request, copies of records required by this permit.

G. Other Information

When the *owner or operator* becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent (NOI), Notice of Modification (NOM) or Notice of Termination (NOT) form or in any other report to the *Department*, he or she shall promptly submit corrected facts or information by submitting a Notice of Modification.

H. Signatory Requirements

All Notice of Intent (NOI), Notice of Modification (NOM) and Notice of Termination (NOT) forms, SWPPPs, reports, certifications or information submitted to the *Department* (and/or the operator of a large or medium *MS4*), or records that this permit requires to be maintained by the *owner or operator*, shall be signed as follows:

1. All Notice of Intent (NOI) , Notice of Modification (NOM) and Notice of Termination (NOT) forms shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 1. a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 2. the manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements, and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - c. For a *municipality*: *State*, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g. Regional Administrators of EPA).

2. **Duly Authorized Representatives** All reports required by the permit and other information requested by the *Department* shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the *Department*.
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, *owner or operator*, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).
3. **Changes to authorization** If an authorization under Part VI.H.1. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, letter notification satisfying the requirements above must be submitted to the *Department* prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. **Certification** - Any person signing documents under this section shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that *qualified personnel* properly gathered and evaluated the information submitted. Based on my inquiry of the *person or persons* who manage the system, or those person directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I. Penalties for Falsification of Reports

In accordance with 6 NYCRR Part 750-2.4(f) any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$37,500, or by imprisonment for not more than 2 years, or by both.

J. Penalties for Falsification of Monitoring Systems

In accordance with 6 NYCRR Part 750-2.5(a)(6) any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines and imprisonment.

K. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the *owner or operator* from any responsibilities, liabilities, or penalties to which the *owner or operator* is or may be subject under section 311 of the CWA or section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA").

L. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, *State* or local laws or regulations

M. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

N. Requiring an Individual Permit or an Alternative General Permit

1. At its sole discretion, the *Department* may require any person authorized by this general permit to apply for and/or obtain either an *individual SPDES permit* or an alternative *SPDES* general permit in accordance with 6 NYCRR Part 750-1.21(e).
2. Any *owner or operator* authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The *owner or operator* shall submit an individual application (Industrial *SPDES* Form 2C) with reasons supporting the request to the *Department*. Individual permit applications shall be submitted to the Regional Permit Administrator in the appropriate NYSDEC Regional Office (see Appendix F). The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the *owner or operator* are adequate to support the request.
3. When an *individual SPDES permit* is issued to a discharger authorized to *discharge* under a *general SPDES permit* for the same *discharge(s)*, the *owner or operator* must file a NOT.

O. State/Environmental Laws

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the *owner or operator* from any responsibilities, liabilities, or penalties established pursuant to any applicable *State* law or regulation under authority preserved by section 510 of the Clean Water Act.

2. No condition of this permit shall release the *owner or operator* from any responsibility or requirements under other environmental statutes or regulations.

P. Proper Operation and Maintenance

The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of stormwater pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems installed by an *owner or operator* only when necessary to achieve compliance with the conditions of the permit.

Q. Inspection and Entry

The *owner or operator* shall allow the *Department* or an authorized representative of EPA, the *State*, or, in the case of a facility which *discharges* through a *municipal separate storm sewer system*, an authorized representative of the municipal operator of the separate storm sewer receiving the *discharge*, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the *owner or operators* premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit: and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

R. Permit Actions

At the *Department's* sole discretion, this permit may, at any time, be modified, revoked or renewed. The filing of a request by the *owner or operator* for a permit modification, reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

S. Definitions

Definitions are included in Appendix A of this permit. Additional definitions are provided within the Part VIII industrial sectors for terms that are specific to those industries.

Part VI. REOPENER CLAUSE

- A. If there is evidence indicating potential or realized impacts on water quality due to any *stormwater discharge associated with industrial activity* covered by this permit, the *owner or operator* of such *discharge* may be required to obtain an individual permit or an alternative general permit in accordance with Part V.N (requiring an individual permit or alternative general permit) of this permit or the permit may be modified to include different limitations and/or requirements.
- B. Permit modification or revocation will be conducted according to 6 NYCRR Part 621 and 6NYCRR Part 750-1.18.

Part VII. TERMINATION OR TRANSFER OF COVERAGE

A. Notice of Termination (NOT) Form

Having submitted a Notice of Intent (NOI) to gain coverage under this permit, an *owner or operator* continues to be responsible for meeting permit requirements and payment of annual fees until a complete Notice of Termination (NOT) that has been signed in accordance with Part V.H. is received by the *Department* in accordance with the following conditions:

1. An *owner or operator* must submit an NOT to terminate coverage under this permit when one or more of the following conditions are met:
 - a. When all *stormwater discharges associated with industrial activity* authorized by this permit are eliminated;
 - b. If all *stormwater discharges* have been determined to be conveyed to a sanitary sewer or treatment works or a combined sewer system and the pertinent authority has accepted responsibility or approved connection;
 - c. All *industrial activities* defined in 40 CFR 122.26(b)(14) or otherwise required by the *Department* to obtain coverage under this permit cease AND all materials, equipment or other potential *pollutants*, including but not limited to, residue in soils are removed;
 - d. When a different *SPDES* authorization for a *discharge* covered under this permit becomes effective; or
 - e. When the *owner or operator* of the *stormwater discharges associated with industrial activity* at a facility changes.
2. When the *owner or operator* of a facility changes, the original *owner* must notify the new *owner or operator* in writing of the possible requirement to submit a new NOI to obtain coverage under this permit.

B. Addresses

All Notice of Intent (NOIs), Notice of Modification (NOMs), and Notice of Termination (NOT) forms are to be submitted, using the forms provided by the *Department* (or a photocopy thereof), to the address indicated on the form which (as of the issuance date of this permit) is:

MSGP Permit Coordinator
NYS DEC, Division of Water
Bureau of Water Permits
625 Broadway
Albany, NY 12233-3505

PART VIII. SECTOR SPECIFIC PERMIT REQUIREMENTS

The *owner or operator* must comply with the additional requirements of Part VIII that apply to the specific *industrial activity* located at the *owner or operator's* facility. These requirements are in addition to the general requirements specified in the previous sections of this permit. The industry specific requirements are broken down into sections referred to as industrial sectors A through AE.

If the facility has more than one *industrial activity* meeting the description(s) of more than one sector occurring on-site, those industrial activities are considered to be *co-located*. Stormwater discharges from *co-located industrial activities* are authorized by this permit, provided that the *owner or operator* complies with any and all of the requirements applicable to each *industrial activity* at the facility. The monitoring and SWPPP terms and conditions of this permit are additive for *industrial activities* being conducted at a facility.

Examples of common *co-located* activities include, but are not limited to:

- Timber Products (Sector A) and vehicle maintenance (Sector P)
- Auto salvage (Sector M) and auto recycling (Sector N)
- Mineral mining (Sector J) and maintenance of vehicles and equipment (Sector P)
- Mineral mining (Sector J) and asphalt manufacturing (Sector D)
- Mineral mining (Sector J) and concrete manufacturing (Sector E)
- Transfer stations accepting recyclables (Sector N) and maintenance of vehicles used in local trucking without storage (Sector P)
- Manufacturers of food and kindred products (Sector U) and maintenance of vehicles used in local or long distance trucking (Sector P)

Sector M – Automobile Salvage Yards

Sector M – Automobile Salvage Yards	
Applicability	The requirements listed under this section apply to <i>stormwater discharges associated with industrial activity</i> from facilities engaged in dismantling or wrecking used motor vehicles for parts recycling/resale and for scrap (SIC Code 5015).
Prohibitions Non -Stormwater discharges	<p>In addition to the general prohibition of non-stormwater discharges in Part I.D.1, the following discharges not covered by this permit include, but are not limited to:</p> <ul style="list-style-type: none"> Discharges of vehicle, equipment, and floor wash water <p>All wash water discharges must be authorized under a separate <i>SPDES</i> permit or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.</p>
SWPPP Requirements in addition to Part III.C	
Site Map	<p>The site map must identify where any of the following may be exposed to precipitation/surface runoff:</p> <ul style="list-style-type: none"> Vehicle storage areas; Dismantling areas Parts storage areas (e.g., engine blocks, tires, hub caps, batteries, hoods, mufflers) Liquid storage tanks and drums for fuel and other fluids Location of each discharge and monitoring poin <p>An estimation (in acres) of the total area used for <i>industrial activity</i> including, but not limited to:</p> <ul style="list-style-type: none"> Dismantling Storage Maintenance of used motor vehicle parts
Summary of Potential Pollutant Sources	<p>The <i>owner or operator</i> must assess the potential for the following activities to contribute <i>pollutants</i> to stormwater discharges:</p> <ul style="list-style-type: none"> Vehicle storage areas Dismantling areas Parts storage areas (e.g., engine blocks, tires, hub caps, batteries, and hoods) Fueling stations

Additional Non-Numeric Effluent Limits	
Good Housekeeping Measures	
Vehicle Dismantling & Maintenance Areas	<p>The SWPPP must describe <i>BMPs</i> that prevent or <i>minimize</i> contamination of stormwater runoff from all areas used for vehicle dismantling and maintenance. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Inspect all incoming vehicles for leaks and take appropriate actions to prevent the release of automobile fluids to the ground; • Remove fuel, refrigerants and the battery as soon as possible; • Vehicle draining and dismantling activities must be conducted in a bermed area, constructed of concrete or other surfaces that allows equivalent protection to <i>groundwater</i>; • The dismantling area should also be covered; • Promptly transfer any drained fluids to segregated storage containers that are properly labeled and in good condition (e.g, anti-freeze, gasoline, used oil, transmission fluid, brake fluids, window washer fluid) for reuse or recycling; • Drain and collect all fluids to the maximum extent practicable in accordance with best available industry standards from engines, radiators, transmissions, heater core, brake fluid reservoirs, differentials, hoses, fuel tanks, air conditioning units and window washing fluids before crushing or storage over bare ground; • When pulling parts from vehicles in the yard, employ a catch sled or tray to recover the majority of fluids which will be released. • Place drip pans, large plastic sheets, or canvas under vehicles or equipment during maintenance and dismantling activities. • Where drip pans are used, care should be taken to prevent accidental spills. • Properly store batteries for recycling or resale; • Store cracked batteries in a non-leaking covered container; • Do not pour liquid waste down floor drains, sinks, or outdoor storm drain inlets; • Plug floor drains that are connected to the storm or sanitary sewers; • Vehicle dismantling activities shall include removal of lead acid batteries, other lead parts such as tire weights and battery cable ends, mercury switches, other mercury containing parts for recycling; • Recover air conditioner refrigerants using EPA certified recycling equipment; • Maintain an organized inventory of materials used in the maintenance shop; • Nonhazardous substances that are contaminated with a hazardous substance are considered to be a hazardous substance; • Dispose of greasy rags, air filters, and degreasers properly; • Label and track the recycling of waste material (e.g., used oil, spent solvents, batteries); • Drain oil and transmission filters before disposal or recycling; • Inspect the maintenance area regularly for proper implementation of <i>control measures</i>; • Use dry cleanup methods and prohibit the practice of hosing down the shop floor; • Recycle mineral spirits and solvents; • Provide treatment of stormwater discharges with devices such as oil-water separators; • Train employees on proper waste control and disposal procedures

Sector M – Automobile Salvage Yards

<p style="text-align: center;">Vehicle Parts and Equipment Storage Areas</p>	<p>The SWPPP must describe <i>BMPs</i> that prevent or <i>minimize</i> contamination of the stormwater runoff from vehicle, parts and equipment storage areas. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Use drip pans under all vehicles and equipment waiting for maintenance and during maintenance; • Use large plastic or metal bins with secure lids to store oily parts (e.g., small engine parts); • Install curbing, berms or dikes around storage areas; • Confine storage of parts, equipment and vehicles to designated areas; • Cover all parts storage areas with a permanent cover (e.g., roofs) or temporary cover (e.g., canvas tarps); • Store used batteries within non-leaking secondary containment or by other equivalent means to prevent leaks of acid into stormwater discharges; • Inspect the storage yard for filling drip pans and other problems regularly; and • Train employees on procedures for storage and inspection items.
<p style="text-align: center;">Vehicle, Equipment, and Parts Cleaning Areas</p>	<p>The SWPPP must describe <i>BMPs</i> that prevent or <i>minimize</i> contamination of stormwater from all areas used for vehicle, equipment, and parts cleaning. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Avoid washing parts or equipment outside; • Designate an area for cleaning activities; • Install curbing, berms or dikes around cleaning areas; • Consider using detergent-based or water-based cleaning systems in place of organic solvent degreasers; • Use phosphate-free biodegradable detergents; • Contain steam cleaning wash waters* or discharge under an applicable <i>SPDES</i> permit; • Inspect cleaning area regularly; • Train employees on proper washing procedures <p>*Wash waters from vehicle, equipment, and parts cleaning areas are process wastewaters that are not authorized discharges under this section.</p>
<p style="text-align: center;">Liquid Storage Areas</p>	<p>The SWPPP must describe <i>BMPs</i> that prevent or <i>minimize</i> contamination of the stormwater runoff from all areas used for liquid storage. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Maintain good integrity of all storage containers; • Provide containment and a roof over liquid storage areas; • Inspect storage tanks to detect potential leaks and perform preventive maintenance; • Inspect piping systems (pipes, pumps, flanges, couplings, hoses, and valves) for failures or leaks; • Train employees on proper filling and transfer procedures

Sector M – Automobile Salvage Yards

Inspections	<p>Routine facility inspections conducted by qualified facility personnel identified in Part III.C.7.b shall include, but is not limited to the following:</p> <ul style="list-style-type: none"> • All incoming vehicles upon arrival at the site for leakage; • Outdoor storage of vehicles, parts or equipment for leakage at least quarterly; • Outdoor storage of fluids in tanks or containers for leakage at least quarterly; • Prior to crushing, spot check vehicles for removal of fluids, battery, mercury switches, lead battery connectors, lead tire balance weights, PCB capacitors, etc.
Employee Training	<p>The SWPPP must include details about an employee training program. Training must be conducted annually at a minimum; however, more frequent training may be necessary at facilities with high employee turnover. Employee training must, at a minimum, address the following areas when applicable to a facility:</p> <ul style="list-style-type: none"> • Used oil management • Spill prevention and response • Purpose, function and maintenance of erosion and sediment control practices; • Good housekeeping practices; • Used battery management; • Removal of parts containing mercury, • Lead and PCBs, • Proper handling (i.e., collection, storage, and disposal) of all fluids • Identification of unpermitted discharges from floor drains, sinks, or outdoor storm drain inlets. • Condition and maintenance needs of stormwater controls • Sump maintenance (regular pumping, use of pads around perimeter to prevent unwanted hazardous materials from entering, etc..) • Condition and maintenance needs for oil water separators, filters and screens used to remove sludges and solids before they reach waste sumps. • Prohibition of the practice of hosing down the shop floor • Use of dry cleanup methods, and/or collecting the stormwater runoff from the maintenance area
Management of runoff	<p>The SWPPP must consider management practices, such as berms or drainage ditches on the property line that may be used to prevent run-on from neighboring properties. Berms must be considered for uncovered outdoor storage of oily parts, engine blocks, and aboveground liquid storage. The <i>owner or operator</i> shall consider the installation of detention ponds, filtering devices, and oil/water separators.</p> <p>Consider using green infrastructure practices such as vegetated swales and constructed wetlands to reduce export of metals in stormwater.</p>

Sector M – Automobile Salvage Yards

Minimize Exposure	<p>Minimizing exposure prevents <i>pollutants</i>, including waste metal, spare parts, engine blocks and other debris, from coming into contact with precipitation and can reduce the need for <i>BMPs</i> to treat contaminated stormwater runoff. Examples of <i>BMPs</i> for exposure minimization include:</p> <ul style="list-style-type: none"> • Covering materials or activities with temporary structures (e.g., tarps) when wet weather is expected • Moving materials or activities to existing or new permanent structures (e.g., buildings, silos, sheds). • Consolidating processing activities to an area that is covered and bermed with impermeable concrete surface equipped with a drain, where all fluids are drained.
Erosion & Sediment Control	<p>The SWPPP must include an Erosion and Sediment Control plan (ESC plan) addressing the storm water run-on and run-off control systems in all areas of the facility. The ESC plan must be developed by a <i>qualified individual</i> and implemented by the <i>owner or operator</i>. The plan must be prepared in accordance the New York Standards and Specifications for Erosion and Sediment, 2005, or equivalent. Consider using sediment traps, vegetated swales and strips, catch basin filters and sand filters to facilitate settling or filtering of sediments.</p>
Spill & Leak Prevention	<ul style="list-style-type: none"> • As indicated in Part II.B, the discharge of hazardous substances or petroleum in the stormwater discharge(s) from the facility shall be prevented or <i>minimized</i> in accordance with the stormwater pollution prevention plan for the facility. • Any spill of petroleum must be reported in accordance with 6 NYCRR Part 613.8. Any spill of a hazardous substance must be reported in accordance with 6 NYCRR Part 595.3. • Notification must be reported to the DEC Spill hotline (1-800- 457-7362) within two hours of identifying a release. Spills or leaks outside of containment areas shall be cleaned up immediately and spills or leaks within containment shall be controlled immediately and cleaned up as stated in Part III.C.F.3.b. • After clean up from a spill, absorbents must be promptly placed in containers for proper disposal. • All vehicles that are intended to be dismantled must be properly drained of all fluids prior to being dismantled or crushed, or other equivalent means must be taken to prevent leaks or spills of fluids including motor oil, transmission fluid, fuel and antifreeze.

Sector M – Automobile Salvage Yards

Guidance in Development of SWPPPs	<p><i>Owner or operators</i> operating facilities engaged in dismantling or wrecking used motor vehicles for parts recycling/resale and for scrap (SIC Code 5015) must review the following guidance documents to ensure that operating practices meet regulatory requirements and follow pollution prevention measures which will <i>minimize</i> waste and promote environmental compliance.</p> <p>a. NYSDEC’s <u>Environmental Compliance and Pollution Prevention Guide for Automobile Recyclers</u> , January 2003</p> <p>b. <u>Auto Recyclers Guide to a Cleaner Environment - Best Management Practices</u>, April 2001, prepared by the Monroe County Small Business Pollution Prevention Task Force and NYSDEC</p> <p>c. Industrial Fact Sheet Series for Activities Covered by EPA’s MSGP <u>Sector M: Automobile Salvage Yards (PDF)</u> (EPA 833-F-06-028) http://cfpub.epa.gov/npdes/stormwater/swsectors.cfm</p> <p>d. Other helpful information for Vehicle Dismantlers is also available on the <i>Department’s</i> web site at http://www.dec.ny.gov/chemical/8505.html</p>																						
Numeric Effluent Limitations	No Numeric Effluent Limits specified for this sector.																						
Benchmarks	Automobile salvage yards are required to monitor their stormwater discharges for the <i>pollutants</i> of concern listed in Table VIII-M-1.																						
	Table VIII-M-1 Sector M - Benchmark Monitoring Requirement																						
	<table><tr><th>Pollutants of Concern</th><th>Benchmark Monitoring Cut-off Concentration</th></tr><tr><td colspan="2">Automobile Salvage Yards (SIC 5015)</td></tr><tr><td>Total Suspended Solids (TSS)</td><td>100 mg/L</td></tr><tr><td>Oil & Grease</td><td>15 mg/L</td></tr><tr><td>Benzene</td><td>50 ug/L</td></tr><tr><td>Ethylbenzene</td><td>50 ug/L</td></tr><tr><td>Toluene</td><td>50 ug/L</td></tr><tr><td>Xylene</td><td>50 ug/L</td></tr><tr><td>Total Recoverable Aluminum</td><td>750 ug/L</td></tr><tr><td>Total Recoverable Iron</td><td>1 mg/L</td></tr><tr><td>Total Recoverable Lead</td><td>69 ug/L</td></tr></table>	Pollutants of Concern	Benchmark Monitoring Cut-off Concentration	Automobile Salvage Yards (SIC 5015)		Total Suspended Solids (TSS)	100 mg/L	Oil & Grease	15 mg/L	Benzene	50 ug/L	Ethylbenzene	50 ug/L	Toluene	50 ug/L	Xylene	50 ug/L	Total Recoverable Aluminum	750 ug/L	Total Recoverable Iron	1 mg/L	Total Recoverable Lead	69 ug/L
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Sector N – Scrap Recycling & Waste Recycling Facilities

Sector N – Scrap Recycling & Waste Recycling Facilities	
Applicability	<p>The requirements listed under this section apply to <i>stormwater discharges associated with industrial activity</i> from facilities engaged in:</p> <ul style="list-style-type: none"> • Processing, reclaiming and wholesale distribution of scrap (including, but not limited to facilities with activities described by SIC code 5093) • Waste recycling facilities, including recycling facilities commonly referred to as material recovery facilities (MRFs). • Transfer stations with recycling activities, including the collection of source-separated recyclables • Ship dismantling, marine salvaging, and marine wrecking of ships for scrap (SIC 4499). Other activities listed under SIC 4499 are covered in Sector Q. <p>Vehicle salvage yards engaged in reclaiming and wholesale distribution of used motor vehicle parts (SIC code 5015) are included in Sector M.</p>
Prohibitions Non -Stormwater discharges	<p>In addition to the general non-stormwater prohibition in Part I.D.1, non-stormwater discharges from turnings containment areas are not covered by this permit. Discharges from containment areas in the absence of a storm event are prohibited unless covered by a separate <i>SPDES</i> permit</p> <p>Battery re-claimers engaged in breaking up of used lead-acid batteries are not eligible for coverage under this permit.</p> <p>All wash water discharges must be authorized under a separate <i>SPDES</i> permit or discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements.</p>
Special Conditions	<p>If any vehicle dismantling activities occur at this facility, the <i>owner or operator</i> must also comply with applicable industry specific requirements outlined in Sector M - Automobile Salvage Yards</p>

Sector N – Scrap Recycling & Waste Recycling Facilities

Subsector Definitions	N-1	Recycling activities at transfer stations, landfills and other facilities engaged in the collection of source-separated recyclables such as aluminum and tin cans; plastic and glass containers; newspapers and cardboard from institutional, commercial/non-industrial and residential sources.
	N-2	Recycling activities at transfer stations, landfills and other facilities that receive a mixed wastestream of non-recyclable and recyclable wastes.
	N-3	Scrap and waste recycling (non-liquid wastes). Individual scrap and waste recycling facilities may process one or more types of recyclable materials, including but not limited to ferrous and nonferrous metals, paper, plastic, cardboard, glass, animal hides. Activities at facilities included in this subsector typically include scrap waste stockpiling; material processing; segregating processed materials into uniform grades; and collecting non-recyclable materials for disposal
	N-4	Facilities included in other Sector N subsectors that operate a shredder
	N-5	Facilities engaged in the reclaiming and recycling of liquid wastes such as used oil, antifreeze, mineral spirits, industrial solvents and liquid wastes.
	N-6	Facilities engaged in dismantling ships, marine salvaging, and marine wrecking of ships for scrap
SWPPP Requirements in Addition to Part III.C		
<p>In addition to the requirements of Part III.C, all facilities covered under Sector N are required to comply with following general requirements as well as the requirements applicable to each applicable subsector. Included in each section below, are lists of <i>BMP</i> options that, along with any functional equivalents, shall be considered for implementation. Discharges of precipitation from containment areas containing used oil shall also be in accordance with applicable sections of 40 CFR Part 112.</p> <p>At a minimum the <i>owner or operator</i> must evaluate the applicability of the <i>BMPs</i> in this section. Per Part III.C.7, if the <i>owner or operator</i> concludes that any of the following <i>BMPs</i> are not appropriate for the facility, a written explanation of why any of these <i>BMPs</i> are not appropriate shall be included in the plan.</p>		

Sector N – Scrap Recycling & Waste Recycling Facilities

Site Map	The site map shall identify the locations where the following activities or sources may be exposed to precipitation/surface runoff: <ul style="list-style-type: none">• Locations of haul and access roads• Scrap and waste material storage areas• Outdoor scrap and waste processing equipment• Areas where materials are sorted, transferred, stockpiled• Containment areas.	
Additional Non-Numeric Effluent Limits		
Best Management Practices		
BMPs – All Facilities	Inbound Waste Control Program	<p>The SWPPP shall include a program to control materials received for processing:</p> <ul style="list-style-type: none">• Notify suppliers/public which scrap materials will not be accepted at the facility or are only accepted under certain conditions• Develop and implement procedures to inspect inbound shipments of recyclable materials• Develop and distribute educational material targeting the public and/or commercial drivers of inbound vehicles;• Training targeted for personnel engaged in the inspection and acceptance of inbound recyclable materials.
	Particulates	<p>The plan shall address <i>BMPs</i> to <i>minimize</i> contact of particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none">• Good housekeeping measures, including frequent sweeping of haul and access roads and the use of dry absorbent or wet vacuum clean up methods, to contain or dispose/recycle residual liquids originating from recyclable containers• Good housekeeping measures to prevent the accumulation of particulate matter and fluids, particularly in high traffic areas.

Sector N – Scrap Recycling & Waste Recycling Facilities

BMPs – All Facilities (Continued)	<p>Stockpiled materials, processed materials and Non Recyclable Wastes</p>	<p>The SWPPP must describe <i>BMPs</i> to <i>minimize</i> contact of stormwater runoff with stockpiled materials, processed materials and non-recyclable wastes. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Store the equivalent one day's volume of recyclable materials indoors; • Containment or diversion structures such as dikes, berms, culverts, trenches, elevated concrete pads, and grading installed where appropriate to <i>minimize</i> contact of stormwater runoff with outdoor processing equipment or stored materials; • Diversion of runoff away from storage areas via dikes, berms, containment trenches, culverts and surface grading; • Cover containment bins, dumpsters, roll off boxes; • Permanent or semi permanent covers over areas where materials are transferred, stored or stockpiled; • Install a sump/pump with each containment pit, and discharge collected fluids to a sanitary sewer system; • Sediment traps, vegetated swales and strips, catch basin filters and sand filters to facilitate settling or filtering of sediments;
	<p>Residual Liquids & Fluids</p>	<p>The plan shall address <i>BMPs</i> to <i>minimize</i> contact of residual liquids and particulate matter from materials stored indoors or under cover from coming in contact with surface runoff. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Prohibit the practice of allowing washwater from tipping floors or other processing areas from discharging to the storm sewer system • Disconnect or seal off all floor drains connected to the storm sewer system; • Drums containing liquids, especially oil and lubricants, should be stored: indoors; in a bermed area; in overpack containers or spill pallets; or in similar containment devices; • Drip pans or equivalent measures shall be placed under any leaking piece of stationary equipment until the leak is repaired. The drip pans shall be inspected for leaks and potential overflow and all liquids properly disposed of in accordance with RCRA requirements • Liquid wastes, including used oil, shall be stored in materially compatible and non leaking containers, and be disposed or recycled in accordance with all requirements under the Resource Recovery and Conservation Act (RCRA), and <i>State</i> or local requirements

Sector N – Scrap Recycling & Waste Recycling Facilities

Facilities with activities described by subsector definitions must comply with the applicable requirements in this section in addition to the general Sector N requirements (above), and the requirements of Part III. C.

N-1 & N-2	Inbound Waste Control Program	Provide totally enclosed drop off containers for the public whenever possible. When determined to be impractical, the SWPPP must describe the measures implemented to either prevent the discharge of contaminated stormwater from containers, or the containers should be subject to screening and monitoring required in Part III.F.3.
N-3 & N-4	Inbound Recycleable & Waste Control Program	<p>Facilities must develop and implement a program to control what is received at the facility. Such plan shall include:</p> <ul style="list-style-type: none"> • Provisions for information/education flyers, brochures and pamphlets to suppliers of scrap and recyclable waste materials on: <ul style="list-style-type: none"> ○ Draining and proper recycling/disposal of residual fluids prior to delivery to the facility when applicable (e.g., from vehicles and equipment engines, radiators, and transmissions, oil filled transformers, and individual containers or drums); ○ Removal and proper collection, recycling and/or disposal of mercury switches, mercury containing parts, lead tire weights, lead battery cable ends air conditioning refrigerants, and small PCB capacitors from vehicles; and ○ Removal and proper collection/disposal of PCB capacitors, ballasts, CFCs/HCFCs, mercury switches, mercury containing components and other sources of potential contaminants from appliances • Procedures to require certification by suppliers of inbound shipments of recyclable materials that the items identified above were completed • Procedures to inspect inbound shipments of recyclable materials to ensure that the items identified above were completed
	Lead Battery Program	<p>Facilities accepting lead acid batteries must develop and implement a scrap lead acid battery program. The plan shall address measures and controls for the proper handling, storage and disposal of scrap lead acid batteries. The SWPPP shall document decisions relating to the following <i>BMP</i> options:</p> <ul style="list-style-type: none"> • Segregate scrap lead acid batteries from other scrap materials; • A description of procedures and/or measures for the proper handling, storage and disposal of cracked or broken batteries; • A description of measures to collect and dispose of leaking lead acid battery fluid; • A description of measures to <i>minimize</i> and, whenever possible, eliminate exposure of scrap lead acid batteries to precipitation or runoff; and, • A description of employee training for the management of scrap batteries

Sector N – Scrap Recycling & Waste Recycling Facilities

N-3 & N-4 (Continued)	Residual Fluids	<p>Install oil/water separators, sumps and dry adsorbents for areas where potential sources of residual fluids are stockpiled (e.g., automotive engine storage areas)</p> <p>The plan shall implement measures necessary to <i>minimize</i> contact of surface runoff with residual cutting fluids. The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Store all turnings exposed to cutting fluids under some form of permanent or semi-permanent cover. Stormwater discharges from these areas are permitted provided the runoff is first treated by an oil/water separator or its equivalent. Procedures to collect, handle, and dispose or recycle residual fluids that may be present shall be identified in the plan • Establish dedicated containment areas for all turnings that have been exposed to cutting fluids. Stormwater runoff from these areas can be discharged provided: <ul style="list-style-type: none"> ○ The containment areas are constructed of either concrete, asphalt or other equivalent type of impermeable material; ○ There is a drainage collection system for runoff generated from containment areas; ○ There is a schedule to maintain the oil/water separator (or its equivalent); and ○ Procedures are identified and implemented for the proper disposal or recycling of collected residual fluids.
	Scrap & Recyclable Waste Processing Areas	<p>The SWPPP shall include <i>BMPs</i> to <i>minimize</i> surface runoff from coming in contact with scrap processing equipment. In the case of processing equipment that generate visible amounts of particulate residue (e.g., shredding facilities), the plan shall describe measures to <i>minimize</i> the contact of residual fluids and accumulated particulate matter with runoff (i.e., through good housekeeping, preventive maintenance, etc.). The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Provide stormwater containment within a 30 foot perimeter of the following fixed equipment: shears, balers, shredders, grinders, screeners and conveyors; • Oil/water separators or sumps; • Catch basin filters or sand filters; • Use and maintenance of silt and/or other fencing around light material processing to prevent migration lightweight materials such as foam by wind and stormwater runoff.

Sector N – Scrap Recycling & Waste Recycling Facilities

N-4	Auto Shredders	<p>At minimum, the SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none"> • Use and maintenance of silt and/or other fencing around shredder fluff or other light material processing to prevent migration lightweight materials such as foam by wind and stormwater runoff. • The ground in the entire shredder and downstream area shall be covered by asphalt or concrete, and drainage shall be controlled • Ground surface must be cleaned/swept at the end of each shift to prevent dirt and debris from being tracked to other areas
N-5	Indoor Storage Areas	<p>The plan shall include <i>BMPs</i> to <i>minimize/eliminate</i> contact between residual liquids from waste materials stored indoors and surface runoff. The following Non-Structural <i>BMPs</i> must be implemented:</p> <ul style="list-style-type: none"> (i) Development and implementation of procedures for material handling (including labeling and marking); and (ii) Keep a sufficient supply of dry absorbent materials or a wet vacuum system to collect spilled or leaked materials. <p>The SWPPP must document decisions relating to consideration of the following Structural <i>BMPs</i>:</p> <ul style="list-style-type: none"> (i) An appropriate containment structure, such as trenches, curbing, gutters or other equivalent measures; and (ii) A drainage system, including appurtenances (e.g., pumps or ejectors, or manually operated valves), to handle discharges from diked or bermed areas. Drainage shall be discharged to an appropriate treatment facility, sanitary sewer system, or otherwise disposed of properly. Discharges from these areas may require coverage under a separate <i>SPDES</i> permit or industrial user permit under the pretreatment program
	Truck & Rail Car Transfer Areas, Outdoor Stockpiles & Storage Areas	<p>Required: Maintain sufficient supply of absorbent materials or a wet vacuum system to collect spills.</p> <p>The SWPPP must document decisions relating to consideration of the following Structural <i>BMPs</i>:</p> <ul style="list-style-type: none"> (i) Appropriate containment structures (e.g., dikes, berms, curbing, pits) to store the volume of the largest single tank, with sufficient extra capacity for precipitation; (ii) Drainage control and other diversionary structures; and (iii) For storage tanks, provide corrosion protection and/or leak detection systems

Sector N – Scrap Recycling & Waste Recycling Facilities

<p style="text-align: center;">N-6</p>	<p style="text-align: center;">Vessel Breaking/Scraping Activities</p>	<p>The following SWPPP special conditions have been established for facilities that are engaged in dismantling ships, marine salvaging, and marine wrecking ships for scrap.</p> <p>Scrapping of vessels shall be accomplished ashore beyond the range of mean high tide, whenever practicable. If this activity must be conducted while a vessel is afloat or grounded in <i>State</i> waters, then the <i>owner or operator</i> must employ <i>BMPs</i> to <i>minimize</i> the amount of <i>pollutants</i> released</p> <p>The following <i>BMPs</i> shall be implemented during those periods when vessels (ships, barges, yachts, etc.) are brought to the facility's site for recycling, scrapping and storage prior to scrapping:</p> <ul style="list-style-type: none"> • Fixed or floating platforms sufficiently sized and constructed to catch and prevent scrap materials and <i>pollutants</i> from entering <i>waters of the State</i> (or equivalent measures approved by the <i>Department</i>) shall be used as work surfaces when working on or near the water surface. These platforms shall be cleaned as required to prevent <i>pollutants</i> from entering <i>State</i> waters and at the end of each work shift. All scrap metals and <i>pollutants</i> shall be collected in a manner to prevent releases(containerization is recommended). • There shall be no discharge of oil or oily wastewater at the facility. Drip pans and other protective devices shall be required for all oil and oily waste transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums or barrels. Drip pans and other protective devices shall be inspected and maintained to prevent releases. Oil and oily waste must be disposed at a permitted facility and adequate documentation of off site disposition shall be retained for review by the board upon request. • During the storage/breaking/scrapping period, oil containment boom(s) shall be deployed either around the vessel being scrapped, or across the mouth of the facility's wet slip, to contain <i>pollutants</i> in the event of a spill. Booms must be inspected, maintained, and repaired as needed. Oil, grease and fuel spills shall be prevented from reaching <i>State</i> waters. Cleanup shall be carried out promptly after an oil, grease, and/or fuel spill is detected • Paint and solvent spills shall be immediately cleaned up to prevent <i>pollutants</i> from reaching storm drains, deck drains, and <i>State</i> waters • Contaminated bilge and ballast water shall not be discharged to waters of the <i>State</i>. If it becomes necessary to dispose of contaminated bilge and ballast waters during a vessel breaking activity, the wastewater must be disposed at a permitted facility and adequate documentation of off site disposition shall be retained for review by the board upon request.
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Sector N – Scrap Recycling & Waste Recycling Facilities

Spill & Leak Prevention	<p>The SWPPP shall include measures to <i>minimize</i> stormwater contamination at loading/unloading areas, and from equipment or container failures. The plan may refer to applicable portions of other existing plans such as SPCC plans required under 40 CFR Part 112</p> <ul style="list-style-type: none">• Describe spill prevention and response measures to address areas that are potential sources of fluid leaks or spills• Provide for immediate containment and clean up of spills/leaks. If malfunctioning equipment is responsible for the spill/leak, repairs shall also be conducted as soon as possible• Specify cleanup procedures, including the use of dry absorbents. Where dry absorbent cleanup methods are used, an adequate supply of dry absorbent material shall be maintained on site. Used absorbent material shall be disposed of properly.• Place drip pans or equivalent measures under any leaking piece of stationary equipment until the leak is repaired. The drip pans shall be inspected for leaks and potential overflow and all liquids properly disposed of in accordance with RCRA requirements <p>The SWPPP shall document considerations of the following <i>BMPs</i> (or their equivalents):</p> <ul style="list-style-type: none">• Store drums containing liquids, especially oil and lubricants, indoors; in a bermed area; in overpack containers or spill pallets; or in similar containment devices• Install overfill prevention devices on all fuel pumps or tanks• Install an alarm and/or pump shut off system on outdoor equipment with hydraulic reservoirs exceeding 150 gallons in order to prevent draining the tank contents in the event of a line break. Alternatively, the equipment may have a secondary containment system capable of containing the contents of the hydraulic reservoir plus adequate freeboard for precipitation.												
	<p>Table VIII-N-1 Sector N – Numeric Effluent Limitations (Subsector N4 Only)</p>												
	Numeric Effluent Limitations	<table><tr><th rowspan="2">Parameter</th><th colspan="2">Effluent Limitations</th></tr><tr><th>Daily Maximum</th><th>30 Day - Average</th></tr><tr><td>Total Mercury*</td><td>50 ng/L</td><td></td></tr><tr><td>PCBs</td><td>200 ng/L per Aroclor**</td><td></td></tr></table>		Parameter	Effluent Limitations		Daily Maximum	30 Day - Average	Total Mercury*	50 ng/L		PCBs	200 ng/L per Aroclor**
Parameter		Effluent Limitations											
		Daily Maximum	30 Day - Average										
Total Mercury*		50 ng/L											
PCBs	200 ng/L per Aroclor**												
<p>*Mercury Analysis shall be by EPA Method 1631 ** Required for Aroclors 1016, 1221, 1232, 1242, 1248, 1254 and 1260. If 65 ng/L per Aroclor or more is detected, <i>owner or operator</i> shall make adjustments to their <i>BMPs</i></p>													

Sector N – Scrap Recycling & Waste Recycling Facilities

Benchmarks	Scrap recycling and waste recycling facilities; and facilities engaged in dismantling ships, marine salvaging, and marine wrecking ships for scrap are required to monitor their stormwater discharges for the <i>pollutants</i> of concern as follows:	
	<u>Subsector N-1</u> : Facilities engaged <i>only</i> in activities limited to the description of Sector N-1 are not required to complete <i>benchmark monitoring</i> and analysis	
	<u>Subsectors N-2, N-3, N-4, N-5 and N-6</u> : Facilities in these subsectors must complete the benchmark analysis in Table VIII-N-2 below,	
	<u>Subsector N-4</u> : In addition to the parameters in Table-N-2, Subsector N-4 facilities must also complete benchmark analysis for the parameters in Table VIII-N-3 for <i>outfalls</i> discharging stormwater from drainage areas where shredder operations and storage areas.	
	Table VIII-N-2 Sector N - Benchmark Monitoring Requirement	
	Pollutants of Concern	Benchmark Monitoring Cut-off Concentration
	Scrap Recycling and Waste Recycling Facilities (nonsource-separated facilities only) (SIC 5093) and Facilities Engaged in Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships For Scrap (SIC 4499, limited to list)	
	Total Suspended Solids (TSS)	100 mg/L
	Chemical Oxygen Demand (COD)	120 mg/L
	Oil and Grease	15 mg/L
	Total Recoverable Aluminum	750 ug/L
	Total Recoverable Cadmium	1.8 ug/L
	Total Chromium	1.8 mg/L
	Total Recoverable Copper	12 ug/L
	Total Recoverable Iron	1 mg/L
	Total Recoverable Lead	69 ug/L
	Total Recoverable Zinc	110 ug/L
	Table VIII-N-3 Additional Subsector N4 – Benchmark Monitoring Requirements	
	Pollutant of Concern	Benchmark Monitoring Cut-off Concentration
	Benzene	50 ug/L
	Ethylbenzene	50 ug/L
	Toluene	50 ug/L
	Xylene	50 ug/L

APPENDIX B

NOTICE OF INTENT (NOI) FORM



**New York State Department of Environmental Conservation
Division of Water
Bureau of Water Permits, 4th Floor**

625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 . Fax: (518) 402-9029
Website: www.dec.state.ny.us

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Notice of Intent

For Stormwater Discharges Associated with Industrial Activity under the State Pollutant Discharge Elimination System (SPDES) Multi-Sector General Permit GP-0-12-001 (MSGP)

All Sections must be completed unless otherwise noted. Incomplete forms will be returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit prior to submitting this Notice of Intent (NOI) Form. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

IMPORTANT:

- USE THIS NOI TO OBTAIN COVERAGE UNDER GP-0-12-001.
-TYPE OR PRINT IN BOXES. AVOID CONTACT WITH THE EDGE OF THE BOXES.
-FILL IN CIRCLES COMPLETELY AND DO NOT USE CHECK MARKS.
-OWNER/OPERATOR MUST SIGN FORM.**

Owner/Operator Information

Enter the name of the legally responsible party and the address of the executive office

O/O Name

[illegible]

O/O Street Address

[illegible]

O/O City

[illegible]

O/O State

N	Y
---	---

O/O Zip

1	3	2	0	9	-			
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Contact Information

Enter the name and contact information for the individual responsible for communicating with DEC regarding the implementation of the MSGP on behalf of the owner/operator.

Contact First Name

J	A	M	E	S								
---	---	---	---	---	--	--	--	--	--	--	--	--

Contact Last Name

[illegible]

Contact Phone

3	1	5
---	---	---

-

4	8	8
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-

3	1	7	1
---	---	---	---

Contact Fax

3	1	5	-	4	6	8	-	1	8	9	3
---	---	---	---	---	---	---	---	---	---	---	---

Contact eMail

J	R	O	T	H	E	N	B	U	R	G	@	W	E	I	T	S	M	A	N	.	C	O	M
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Facility Information

Enter the complete street address of the physical location of the facility.

Facility Name

B E N W E I T S M A N O F S Y R A C U S E , L L C

Facility Street Address

3 3 3 B R I D G E S T R E E T

Facility City

S O L V A Y

State

N Y

Facility Zip

1 3 2 0 9 -

Facility County

O N O N D A G A

Name of Nearest Cross Street

M I L T O N A V E N U E

Distance to Nearest Cross Street (feet)

1 5 8 4

Direction to Nearest Cross Street

☐ North ☒ South ☐ East ☐ West**Mailing Information**

Provide address where DMR should be mailed, if different from Owner/Operator Information on page 1.

Name

Street Address

City

State

Zip

-

Provide address where SPDES fee (billing) should be mailed, if different from Owner/Operator Information on page 1.

Name

Street Address

City

State

Zip

-

- If No, contact the Department to discuss next steps. If Yes, go to question 2.

- If Yes, contact the Department to discuss next steps. If No, go to question 3.

- [illegible]

- [illegible]

- [illegible]

- [illegible]

[illegible]

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- 6(c). If Yes, does your SWPPP include measures to address the pollutant(s) of concern as required by Part III.F.4 of the SPDES Multi-Sector General Permit? ☐ Yes ☐ No ☐ N/A

7. Provide the geographic coordinates in decimal degrees for the latitude & longitude of the facility. The NYS DEC Stormwater Interactive Map on the DEC's website can be used to get coordinates. Go to: www.dec.ny.gov/imsmaps/stormwater/viewer.htm

4	3	.	0	6	7
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Latitude

-

7	6	.	2	1	6
---	---	---	---	---	---

Longitude

8(a). Has this facility been assigned a SPDES MSGP ID under previous versions of the MSGP? ☒ Yes ☐ No

8(b). If Yes, Provide the ID if known (Note: All SPDES MSGP IDs begin with NYR00:)

☐ I don't know the facility's ID

☒ The facility's existing ID is:

N	Y	R	0	0	D	7	5	1
---	---	---	---	---	---	---	---	---

9. Identify all applicable Industrial Activities from the Industrial Sectors shown below that are located within areas subject to the stormwater discharges covered under this permit. Check all that apply to your facility.

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
Sector A: Timber Products			
B, C	<input type="radio"/>	2411	Log Storage and Handling (Wet deck storage areas are only authorized if no chemical additives are used in the spray water or applied to the logs).
B	<input type="radio"/>	2421	General Sawmills and Planning Mills
B	<input type="radio"/>	2426	Hardwood Dimension and Flooring Mills
B	<input type="radio"/>	2429	Special Product Sawmills, Not Elsewhere
B	<input type="radio"/>	2431-2439 (except 2434 - see sector W)	Millwork, Veneer, Plywood, and Structural Wood.
B	<input type="radio"/>	2441, 2448, 2449	Wood Containers
B	<input type="radio"/>	2451, 2452	Wood Buildings and Mobile Homes
B	<input type="radio"/>	2491	Wood Preserving
B	<input type="radio"/>	2493	Reconstituted Wood Products
B	<input type="radio"/>	2499	Wood Products, Not Elsewhere Classified
Sector B: Paper and Allied Products			
B	<input type="radio"/>	2611	Pulp Mills
	<input type="radio"/>	2621	Paper Mills
	<input type="radio"/>	2631	Paperboard Mills
	<input type="radio"/>	2652-2657	Paperboard Containers and Boxes
	<input type="radio"/>	2671-2679	Converted Paper and Paperboard Products, Except Containers and Boxes
Sector C: Chemical and Allied Products			
B	<input type="radio"/>	2812-2819	Industrial Inorganic Chemicals.
B	<input type="radio"/>	2821-2824	Plastics Materials and Synthetic Resins, Synthetic Rubber, Cellulosic and Other Manmade Fibers Except Glass.
B	<input type="radio"/>	2833-2836	Medicinal Chemicals and Botanical Products; Pharmaceutical Preparations; In Vitro and In Vivo Diagnostic Substances; Biological Products, Except Diagnostic Substances.
	<input type="radio"/>	2841-2844	Soaps, Detergents, and Cleaning Preparations; Perfumes, Cosmetics, and Other Toilet Preparations.
	<input type="radio"/>	2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products.
B, C	<input type="radio"/>	2861-2869	Industrial Organic Chemicals.
	<input type="radio"/>	2873-2879	Agricultural Chemicals.
	<input type="radio"/>	2891-2899	Miscellaneous Chemical Products.
B	<input type="radio"/>	3952 (limited to list)	Inks and Paints, Including China Painting Enamels, India Ink, Drawing Ink, Platinum Paints for Burnt Wood or Leather Work, Paints for China Painting, Artist's Paints and Artist's Watercolors.
	<input type="radio"/>	2911	Oil Refineries
Sector D: Asphalt Paving and Roofing Materials and Lubricants			
B, C	<input type="radio"/>	2951, 2952	Asphalt Paving and Roofing Materials
	<input type="radio"/>	2992, 2999	Miscellaneous Products of Petroleum and Coal
Sector E: Glass Clay, Cement, Concrete, and Gypsum Products			
C	<input type="radio"/>	3211	Flat Glass
	<input type="radio"/>	3221, 3229	Glass and Glassware, Pressed or Blown
	<input type="radio"/>	3231	Glass Products Made of Purchased Glass
	<input type="radio"/>	3241	Hydraulic Cement
B	<input type="radio"/>	3251-3259	Structural Clay Products
B	<input type="radio"/>	3261-3269	Pottery and Related Products
B, C	<input type="radio"/>	3271-3275	Concrete, Gypsum and Plaster
	<input type="radio"/>	3281	Cut Stone and Stone Products
	<input type="radio"/>	3291-3299	Abrasive, Asbestos, and Miscellaneous Non-metallic Mineral Products

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
Sector F: Primary Metals			
B	<input type="radio"/>	3312-3317	Steel Works, Blast Furnaces, and Rolling and Finishing Mills
B	<input type="radio"/>	3321-3325	Iron and Steel Foundries
	<input type="radio"/>	3331-3339	Primary Smelting and Refining of Nonferrous Metals
	<input type="radio"/>	3341	Secondary Smelting and Refining of Nonferrous Metals
B	<input type="radio"/>	3351-3357	Rolling, Drawing, and Extruding of Nonferrous
B	<input type="radio"/>	3363-3369	Nonferrous Foundries (Castings)
	<input type="radio"/>	3398, 3399	Miscellaneous Primary Metal Products
Sector G: Metal Mining (Ore Mining and Dressing)			
B,C	<input type="radio"/>	1011	Iron Ores
B,C	<input type="radio"/>	1021	Copper Ores
B,C	<input type="radio"/>	1031	Lead and Zinc Ores
B,C	<input type="radio"/>	1041, 1044	Gold and Silver Ores
B,C	<input type="radio"/>	1061	Ferroalloy Ores, Except Vanadium
B,C	<input type="radio"/>	1081	Metal Mining Services
B,C	<input type="radio"/>	1094, 1099	Miscellaneous Metal Ores
Sector H: Coal Mines and Coal Mining Related Facilities			
Sector I: Oil and Gas Extraction and Refining			
B	<input type="radio"/>	1311	Crude Petroleum and Natural Gas
B	<input type="radio"/>	1321	Natural Gas Liquids
B	<input type="radio"/>	1381-1389	Oil and Gas Field Services
Sector J: Mineral Mining and Dressing			
B	<input type="radio"/>	1411	Dimension Stone
B,C	<input type="radio"/>	1422-1429	Crushed and Broken Stone, Including Rip Rap
B,C	<input type="radio"/>	1442, 1446	Sand and Gravel
	<input type="radio"/>	1455, 1459	Clay, Ceramic, and Refractory Materials
	<input type="radio"/>	1474-1479	Chemical and Fertilizer Mineral Mining
B	<input type="radio"/>	1481	Nonmetallic Minerals Services, Except Fuels
B	<input type="radio"/>	1499	Miscellaneous Nonmetallic Minerals, Except Fuels
Sector K: Hazardous Waste Treatment, Storage, or Disposal Facilities			
B,C	<input type="radio"/>	HZ	Hazardous Waste Treatment, Storage or Disposal
Sector L: Land Fills and Land Application Sites			
B,C	<input type="radio"/>	LF	Landfills, Land Application Sites, and Open Dumps
Sector M: Automobile Salvage Yards			
B	<input type="radio"/>	5015	Automobile Salvage Yards
Sector N: Scrap Recycling Facilities			
	<input type="radio"/>	5093 N-1	Scrap Recycling Facilities. Source Separated Recycling Only
B	<input type="radio"/>	5093 N-2	Mixed Waste Stream of Non-Recyclable & Recyclable Wastes
B	<input checked="" type="radio"/>	5093 N-3	Scrap and Waste Recycling (Non-Liquid Wastes)
B,C	<input type="radio"/>	5093 N-4	Facilities With A Shredder
B	<input type="radio"/>	5093 N-5	Reclaiming & Recycling of Liquid Wastes
B	<input type="radio"/>	4499 (limited to list) N-6	Dismantling Ships, Marine Salvaging, and Marine Wrecking - Ships for Scrap

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
Sector O: Steam Electric Generating Facilities			
B,C	<input type="radio"/>	SE	Steam Electric Generating Facilities
Sector P: Land Transportation and Warehousing			
B	<input type="radio"/>	4011, 4013	Railroad Transportation
B	<input type="radio"/>	4111-4173	Local and Highway Passenger Transportation
B	<input type="radio"/>	4212-4231	Motor Freight Transportation and Warehousing
B	<input type="radio"/>	4311	United States Postal Service
B	<input type="radio"/>	5171	Petroleum Bulk Stations and Terminals
Sector Q: Water Transportation			
B	<input type="radio"/>	4412-4499 (except 4499 as specified in Sector N)	Water Transportation
Sector R: Ship and Boat Building or Repairing Yards			
	<input type="radio"/>	3731, 3732	Ship and Boat Building or Repair Yards
Sector S: Air Transportation			
B	<input type="radio"/>	4512-4581	Air Transportation Facilities
Sector T: Treatment Works			
B	<input type="radio"/>	TW	Treatment Works
Sector U: Food and Kindred Products			
B	<input type="radio"/>	2011-2015	Meat Products
	<input type="radio"/>	2021-2026	Dairy Products
	<input type="radio"/>	2032-2038	Canned, Frozen and Preserved Fruits, Vegetables and Food Specialties
	<input type="radio"/>	2041-2048	Grain Mill Products
	<input type="radio"/>	2051-2053	Bakery Products
B	<input type="radio"/>	2061-2068	Sugar and Confectionery Products
	<input type="radio"/>	2074-2079	Fats and Oils
	<input type="radio"/>	2082-2087	Beverages
	<input type="radio"/>	2091-2099	Miscellaneous Food Preparations and Kindred Products
	<input type="radio"/>	2111-2141	Tobacco Products
Sector V: Textile Mills, Apparel, and Other Fabric Product Manufacturing, Leather and Leather Products			
	<input type="radio"/>	2211-2299	Textile Mill Products
	<input type="radio"/>	2311-2399	Apparel and Other Finished Products Made From Fabrics and Similiar Materials
	<input type="radio"/>	3131-3199 (except 3111- see sector Z)	Leather and Leather Products, except Leather Tanning and Finishing
Sector W: Furniture and Fixtures			
	<input type="radio"/>	2434	Wood Kitchen Cabinets
	<input type="radio"/>	2511-2599	Furniture and Fixtures
Sector X: Printing and Publishing			
	<input type="radio"/>	2711-2796	Printing, Publishing, and Allied Industries

Sampling Notes	Mark all that apply	SIC Code or Activity Code	Activity Represented
Sector Y: Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries			
B	<input type="radio"/>	3011	Tires and Inner Tubes
B	<input type="radio"/>	3021	Rubber and Plastics Footwear
B	<input type="radio"/>	3052, 3053	Gaskets, Packing, and Sealing Devices and rubber and Plastics Hose and Belting
B	<input type="radio"/>	3061, 3069	Fabricated Rubber Products, Not Elsewhere Classified
	<input type="radio"/>	3081-3089	Miscellaneous Plastics Products
	<input type="radio"/>	3931	Musical Instruments
	<input type="radio"/>	3942-3949	Dolls, Toys, Games and Sporting and Athletic Goods
	<input type="radio"/>	3951-3955	Pens, Pencils, and Other Artists' Materials
	<input type="radio"/>	3961, 3965	Costume Jewelry, Costume Novelties, Buttons, and Miscellaneous Notions, Except Precious Metal
	<input type="radio"/>	3991-3999	Miscellaneous Manufacturing Industries
Sector Z: Leather Tanning and Finishing			
B	<input type="radio"/>	3111	Leather Tanning, Currying and Finishing
Sector AA: Fabricated Metal Products			
B	<input type="radio"/>	3411-3499	Fabricated Metal Products, Except Machinery and Transportation Equipment
B	<input type="radio"/>	3911-3915	Jewelry, Silverware, and Plated Ware
Sector AB: Transportation Equipment, Industrial or Commercial Machinery			
	<input type="radio"/>	3511-3599 (except 3571-3579 see Sector AC)	Industrial and Commercial Machinery (Except Computer and Office Equipment)
	<input type="radio"/>	3711-3799 (except 3731 & 3732 see Sector R)	Transportation Equipment (Except Ship and Boat Building and Repairing)
Sector AC: Electronic, Electrical, Photographic, and Optical Goods			
B	<input type="radio"/>	3571-3579	Computer and Office Equipment
B	<input type="radio"/>	3612-3699	Electronic, Electrical Equipment and Components, Except Computer Equipment
B	<input type="radio"/>	3812-3873	Measuring, Analyzing and Controlling Instrument; Photographic and Optical Goods
Sector AD & AE: Non-Classified Facilities/Storm Water Discharges Designated By the Board As Requiring Permits			
B	<input type="radio"/>	Sector AD	Other Storm Water Discharges Designated By the Department As Needing a Permit or Any Facility Discharging Storm Water Associated With Industrial Activity Not Described By Any of Sectors A-AC. Note: Facilities may not elect to be covered under Sector AD. Only the Department may assign a facility to Sector AD.
B	<input type="radio"/>	Sector AE	

Notes: B - Benchmark Monitoring Required
C - Compliance Monitoring for Point Source Category Effluent Limitations

10. For each stormwater discharge associated with industrial activity at your facility identify the outfall number (e.g., 001, 002, etc.); the four digit Standard Industrial Classification (SIC) codes, Section N Subsector, or 2-letter Industrial Activity Codes that best represent the principal products or services rendered by the facility for that drainage area; and the acreage of industrial activity exposed to stormwater for each outfall (round to nearest tenth of an acre):

Outfall No.	Industrial Activities (SIC or 2-letter Codes)										Acreage							
	A				N		B		N		C		N		Acreage			
1	0	0	1	5	0	9	3	N	3							2	5	
2	0	0	2	5	0	9	3	N	3							4	7	
3	0	0	3	5	0	9	3	N	3							3	4	
4																		
5																		
6																		
7																		
8																		
9																		
Total Acreage																1	0	6

(Note: SIC information can be obtained at the following web sites: <http://www.osha.gov/pls/imis/sicsearch.html> and <http://www.softshare.com/tables/sic/>. The 2-letter Industrial Activity Codes are: **HZ** - hazardous waste treatment, storage or disposal facilities; **LF** - landfills/disposal facilities that receive or have received any industrial waste; **SE** - steam electric power generating facilities; or **TW** - treatment works for treating domestic sewage.)

11. Does this facility have coal piles that are exposed to precipitation? ☐ Yes ☒ No
12. Does this facility discharge have salt piles that are exposed to precipitation? ☐ Yes ☒ No
13. Does this facility discharge stormwater from secondary containment areas for liquid bulk storage or transfer areas? ☒ Yes ☐ No
14. Is the facility subject to any of the following EPA Point Source Category Effluent Limitations?
- Runoff from material storage piles at cement manufacturing facilities (40 CFR Part 411 Subpart C)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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 - Contaminated runoff from phosphate fertilizer manufacturing facilities (40 CFR Part 418 Subpart A)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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 - Coal Pile runoff at steam electric power generating facilities (40 CFR Part 423)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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- Discharges resulting from spraydown or intentional wetting of logs at wet deck storage areas (40 CFR Part 429 Subpart I)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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- Mine dewatering discharges at crushed stone, construction sand and gravel, and industrial sand mines (40 CFR Part 436)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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- Runoff from asphalt emulsion facilities (40 CFR Part 443 Subpart A)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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- Runoff from landfills (40 CFR 445 Subpart A and B)? ☐ Yes ☒ No
If Yes, list Outfall numbers.

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Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

JAMES
O/O Signature First Name (please print or type)

R
MI

12 / 26 / 2012
Date

Rothleinburg
O/O Signature Last Name (please print or type)


Signature

APPENDIX C

SAMPLING DATA SUMMARY LOG

SAMPLING DATA SUMMARY LOG

Facility: Ben Weitsman of Syracuse, LLC
333 Bridge Street
Syracuse, New York 13209

Sample Date _____

Completed By: _____
 Printed Name

Signature

Pollutants of Concern	Units	Benchmark Monitoring	Analytical Results		
		Cut-Off Concentration	Outfall 001	Outfall 002	Outfall 003
Total Suspended Solids (TSS)	mg/L	100			
Chemical Oxygen Demand (COD)	mg/L	120			
Oil & Grease	mg/L	15			
Aluminum	µg/L	750			
Cadmium	µg/L	1.8			
Chromium	mg/L	1.8			
Copper	µg/L	12			
Iron	mg/L	1			
Lead	µg/L	69			
Zinc	µg/L	110			
Benzene	µg/L	50			
Ethylbenzene	µg/L	50			
Toluene	µg/L	50			
Xylene	µg/L	50			

Notes:

Benchmark cut-off values are guidance.

mg/L milligrams per liter

µg/L micrograms per liter

APPENDIX D

MONTHLY INSPECTION / MAINTENANCE LOG

MONTHLY INSPECTION / MAINTENANCE LOG

Facility: _____

Date: _____

Completed By: _____
 Printed Name

Signature

Area	Requirements	S-Satisfactory U-Unsatisfactory	Describe Observations and Indicate Action Completed
INCOMING SCRAP AND END OF LIFE VEHICLES	<ul style="list-style-type: none"> · Acceptable Materials List posted · Incoming loads inspected · No leaks from incoming vehicles · No fluids in tanks or containers received 	S U	
STORAGE PILE AREAS	<ul style="list-style-type: none"> · No contact with standing water 	S U	
BALER OR SHREDDER (IF PRESENT)	<ul style="list-style-type: none"> · On pad with controlled drainage or · Drip pan liquid-tight · Accumulated liquid properly managed 	S U	
MAINTENANCE GARAGE	<ul style="list-style-type: none"> · Oil lubricants and used oil properly stored · No leaks or spills 	S U	
STORAGE AREAS FOR EQUIPMENT AWAITING MAINTENANCE	<ul style="list-style-type: none"> · No spills or leaks · Drip pans under leaking · Pavement surface free of oil and grease 	S U	
WEIGH SCALES	<ul style="list-style-type: none"> · No sheen in scale pit, if present 	S U	
STORAGE TANK AREA	<ul style="list-style-type: none"> · Tank inspection form completed 	S U	
ENVIRO-RACK AREA	<ul style="list-style-type: none"> · Containment sump clean/dry · Tanks pumped by vendors as needed · Rack cleaned daily 	S U	
DRUM STORAGE	<ul style="list-style-type: none"> · Number of drums in use for vehicle fluids · Drums labeled, bungs in place 	Count: _____ S U	
DRIVEWAYS	<ul style="list-style-type: none"> · Sweeping completed as needed 	S U	
TURNINGS	<ul style="list-style-type: none"> · Stored in a watertight container, covered 	S U	

APPENDIX E

EMPLOYEE TRAINING ATTENDANCE

EMPLOYEE TRAINING ATTENDANCE

Facility: _____

Date: _____

Trainer: _____
Printed Name

Signature _____

Type of Training: _____

TRAINING ATTENDEES

[illegible]

APPENDIX F

**CERTIFICATION OF
NON-STORMWATER DISCHARGE**

CERTIFICATION OF NON-STORMWATER DISCHARGE

Facility: _____ Date: _____

Completed By: _____
Printed Name Signature

This Facility has evaluated its stormwater discharges (i.e., outfalls) for the presence of non-stormwater. Information related to this evaluation is set forth below:

Identification of potential significant sources of non-stormwater at the Facility:

Results of the evaluation for the presence of non-stormwater discharges:

Description of the evaluation criteria used:

List of outfalls or on-site drainage points that were directly observed during the evaluation:

A copy of this certification will be maintained in the Stormwater Pollution Prevention Plan.

APPENDIX G

ANNUAL COMPLIANCE INSPECTION AND EVALUATION REPORT

ANNUAL COMPLIANCE INSPECTION AND EVALUATION REPORT

Facility: _____ Date: _____

Location: _____

Completed By: _____
Printed NameSignature

SCOPE OF COMPLIANCE EVALUATION

Observations	Check Yes or No <i>[If Yes is checked, corrective action is required]</i>
Is there industrial materials, trash or residue on the ground that could contaminate or be washed away in stormwater?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there a leak or spill from industrial equipment, drums barrels, tanks, or similar containers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there unauthorized non-stormwater discharge or allowable stormwater discharges that are not certified?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there off-site tracking of industrial materials or sediment where vehicles enter or exit the site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there evidence of any tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there evidence of, or the potential for pollutants entering the drainage system?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes to any of the above observations, describe corrective action:	

OBSERVATIONS RELATING TO IMPLEMENTATION OF SWPPP

1. Location(s) of discharges of pollutants from the site:

2. Location(s) of previously unidentified discharges of pollutants from the site:

3. Location(s) of BMPs that need to be maintained:

a. Enviro-Rack:

b. Baler:

c. Maintenance Shop:

d. Fueling Area:

e. Inbound Materials Control:

f. Lead Acid Battery Program:

g. Residual Fluids:

h. Sweeping:

i. Stockpiled Materials:

j. Turnings:

k. Shredder:

l. Other:

4. Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location: _____

5. Location(s) where additional BMPs are needed that did not exist at the time of inspection:

6. Incidents of noncompliance: _____

7. Summary of results of sample analysis (attach copy of *Appendix C – Sampling Data Summary Log*): _____

FOLLOW-UP ACTIONS

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) MODIFICATION	<i>[Modifications, if needed, must be completed Within 14 days of Evaluation.]</i>
Is any action needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, describe:	

BEST MANAGEMENT PRACTICES (BMP) MODIFICATION OR ADDITION	<i>[If modifications or additions are necessary, implementation must be completed before the next storm event, if practical, but not more than 12 weeks after the Evaluation.]</i>
Is BMP change needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, describe:	

SIGNATURE

I certify, under penalty of law, that this document and attachments were prepared under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

By: _____
Printed Name Signature

Title: _____ Date: _____

This evaluation determined this facility to be in general compliance ☐ Yes ☐ No
with the General Permit and the SWPPP.

APPENDIX H

STORM EVENT DATA FORM

625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 **Fax:** (518) 402-9029
Website: <http://www.dec.ny.gov/>

Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (GP-0-12-001)

Storm Event Data Form

Permit Number

--	--	--	--	--	--	--	--	--

Facility Name

[illegible]

Contact First Name

[illegible]

Contact Last Name

[illegible]

Contact Phone

Contact eMail

[illegible]

Storm Event Date: / /

Storm Duration:

--	--

 .

--	--

 (in hours)

Rainfall measurment from Storm Event:

--	--

 .

--	--

 (in inches)

Date of last measurable Storm Event: / /

Duration between Storm Event sampled and end of previous measurable Storm Event:

--	--	--	--

 .

--	--

 (in hours)

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A horizontal number line with 15 tick marks, labeled from 0 to 14. The line is drawn on a light gray background. The tick marks are evenly spaced and extend slightly above and below the line. The numbers 0 through 14 are printed below each corresponding tick mark.

--	--	--	--	--	--	--	--	--	--

O/O Signature First Name (please print or type)

MI

O/O Signature Last Name (please print or type)									

Date _____

--

Signature

APPENDIX I

ANNUAL CERTIFICATION REPORT AND COMPLETED DMR FORMS

The owner/operator shall complete this Annual Certification Report form by answering the following questions, describing improvements to the facility's Stormwater Pollution Prevention Plan (SWPPP), providing copies of monitoring results on appropriate Discharge Monitoring Reports forms and signing the certification at the end of this form. This completed report is to be submitted each calendar year by February 28th of the following year to:

MSGP Permit Coordinator
NYSDEC, Bureau of Water Compliance
625 Broadway, Albany, NY, 12233-3506

Permit I.D. No.: NYR00				
------------------------	--	--	--	--

Report for Calendar Year:

--	--	--	--

Owner Name[illegible]**Facility Name**[illegible]

1. List the number of stormwater outfalls at the facility that are from areas of industrial activity.....

2. Is the facility claiming any monitoring waiver(s)? ☐ Yes ☐ No

If yes, which waiver(s) are you claiming?

- ☐ Adverse Climatic Conditions*
- ☐ Alternate Certification of "Not Present" or "No Exposure"
- ☐ Inactive or Unstaffed Site*
- ☐ Representative Outfall*

* If you are claiming a monitoring waiver the appropriate monitoring waiver form must be included with your Discharge Monitoring Report form.

3. Is the information provided in your original Notice of Intent (NOI) submission still accurate and up to date? If not, please submit a Notice of Modification (NOM) to update the facility information ☐ Yes ☐ No

4. Has a comprehensive Site Compliance Inspection and Evaluation been conducted at the facility in the past year? ... ☐ Yes ☐ No

5. Is the facility's Stormwater Pollution Prevention Plan (SWPPP) kept up to date and modified when necessary? ☐ Yes ☐ No

SECTION III: QUARTERLY VISUAL MONITORING:

1. Have the required quarterly visual examinations of stormwater at the facility been performed during this reporting period (See Part.IV.1.a of the MSGP)? ☐ Yes ☐ No

2. Did any of the quarterly visual examinations result in observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other indicators of stormwater pollution and contamination? (If yes, question 2.A, 2.B, and 2.C below must be answered) ☐ Yes ☐ No

A. Were corrective and follow up actions taken (See Part IV.B.1.a.(5) of the MSGP)? ☐ Yes ☐ No

B. Has the facility's SWPPP been updated to include modification to existing BMPs or installation of new BMPs to prevent stormwater pollution and contamination from reoccurring (See Part IV.B.1.a.(5)(c) of the MSGP)?..... ☐ Yes ☐ No

C. Was a follow up visual inspection conducted to ensure corrective and follow up actions were successful (See Part IV.B.1.a.(5)(d) of the MSGP)? ☐ Yes ☐ No

SECTION III: ANNUAL DRY WEATHER FLOW MONITORING:

1. Was the annual dry weather flow inspection performed during this reporting period (See Part IV.B.1.b of the MSGP)? ☐ Yes ☐ No
2. Were any non-stormwater dischargers or indicators of non-stormwater discharges identified? (If no, proceed to Section IV)..... ☐ Yes ☐ No
3. Was the source of the non-stormwater discharge identified? (If no, proceed to question 5) ☐ Yes ☐ No
4. Is the source an allowable non-stormwater discharge (i.e., discharge covered by another SPDES permit or an allowable non-stormwater discharge covered in Part I.C.3 of the MSGP)? (If yes, question 4.A. below must be answered; if no, proceed to question 5)..... ☐ Yes ☐ No
 - A. Has the facility's SWPPP been updated to address the newly identified allowable non-stormwater discharge(s) (See Part IV.B.1.b.(3)(d) of the MSGP)? ☐ Yes ☐ No
5. Were corrective and follow up actions taken to eliminate the unauthorized non-stormwater discharge (See Part IV.B.1.b.(3) of the MSGP)? ☐ Yes ☐ No
6. Were corrective and follow up actions successful in eliminating the unauthorized non-stormwater discharge? ☐ Yes ☐ No

Note: If it is not possible to eliminate the non-authorized stormwater discharge the owner/operator must notify the Department with 14 days.

SECTION IV: STORMWATER MONITORING - BENCHMARK PARAMETERS:

1. Is the owner/operator required to monitor stormwater at the facility for benchmark parameters (See Part IV.B.1.c)? (If no, proceed to Section V)..... ☐ Yes ☐ No
2. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not met or if the laboratory indicated quality assurance/quality control problems) ☐ Yes ☐ No
3. Were any of the sampling results from this year higher than the benchmark cut-off concentrations listed in the permit? (If yes, questions 3.A and 3.B below must be answered)..... ☐ Yes ☐ No
 - A. Were corrective and follow up actions taken (See Part IV.B.1.c.(6) of the MSGP)? ☐ Yes ☐ No
 - B. Has the facility's SWPPP been updated to include modification to existing BMPs or installation of new BMPs to prevent the benchmark exceedance from reoccurring (See Part IV.B.1.c.(6)(c) of the MSGP) ? ☐ Yes ☐ No

Note: If you had a benchmark exceedance your Corrective Action Form with follow up sample results are due by June 30 (See Part IV.B.1.c.(6)(d)(iii) of the MSGP).

SECTION V: STORMWATER MONITORING - COAL PILE RUNOFF:

1. Is the owner/operator required to conduct compliance monitoring for storm water discharges from coal piles (See Part IV.B.1.d of the MSGP? (If no, proceed to Section VI)..... ☐ Yes ☐ No
2. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not meet or if the laboratory indicated quality insurance assurance/quality control problems) ☐ Yes ☐ No
3. Were any of the sampling results from this year higher than the effluent limitations listed in Table IV-1 of the MSGP? (If yes, questions 3.A and 3.B. below must be answered)..... ☐ Yes ☐ No
 - A. Were corrective and follow up actions taken (See Part IV.B.1.d.(6) of the MSGP)? ☐ Yes ☐ No
 - B. Has the facility's SWPPP been updated to include modification to existing BMPs or installation of new BMPs to prevent the effluent limitation exceedance from reoccurring (See Part IV.B.1.d.(6) of the MSGP)? ☐ Yes ☐ No

Note: If you had a effluent limitation exceedance your Corrective Action Form with follow up sample results are due by June 30 (See Part IV.B.1.e.(5)(e)(ii) of the MSGP).

SECTION VI: STORMWATER MONITORING - COMPLIANCE MONITORING

1. Is the owner/operator required to conduct compliance monitoring for storm water discharges subject to Point Source Category Effluent Limitations (See Part IV.B.1.e of the MSGP)? (If no, proceed to Section VII) ☐ Yes ☐ No
2. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not meet of if the laboratory indicated quality insurance assurance/quality control problems) ☐ Yes ☐ No
3. Were any of the sampling results from this year higher than the effluent limitations listed in the permit? (If yes, questions 3.A and 3.B. below must be answered) ☐ Yes ☐ No
- A. Were corrective and follow up actions taken (See Part IV.B.1.e.(5) of the MSGP)? ☐ Yes ☐ No
- B. Has the facility's SWPPP been updated to include modification to existing BMPs or installation of new BMPs to prevent the effluent limitation exceeding from reoccurring (See Part IV.B.1.e.(5)(c) of the MSGP)? ☐ Yes ☐ No

Note: If you had an effluent limitation exceedance your Corrective Action Form with follow up sample results are due by June 30 (See Part IV.B.1.e.(5)(e)(ii) of the MSGP).

SECTION VII: STORMWATER MONITORING - DISCHARGES TO IMPAIRED WATERBODIES:

1. Is the owner/operator required to conduct compliance monitoring for discharges to impaired waterbodies (See Part IV.B.1.g of the MSGP)? (If no, proceed to Section VIII)..... ☐ Yes ☐ No
2. Were there any monitoring problems? (Answer "Yes" if storm event criteria was not meet of if the laboratory indicated quality insurance assurance/quality control problems) ☐ Yes ☐ No
3. Were any of the sampling results from this year higher than the benchmark cut-off concentrations or effluent limitations listed in the permit? (If yes, questions 3.A and 3.B below must be answered). ☐ Yes ☐ No
- A. Were corrective and follow up actions taken (See Part IV.B.1.g.(6) of the MSGP)? ☐ Yes ☐ No
- B. Has the facility's SWPPP been updated to include modification to existing BMPs or installation of new BMPs to prevent the benchmark cutoff concentrations or effluent limitations exceedance from reoccurring (See Part IV.B.1.g.(6)(c) of the MSGP)? ☐ Yes ☐ No
- C. Did the follow-up quarterly sample show the corrective and follow up actions to be successful? ☐ Yes ☐ No

SECTION VIII: SUMMARY:

Provide a brief description of any facility changes; problems identified during comprehensive compliance evaluations, quarterly visual observations or monitoring results; and actions taken to improve the quality of the stormwater discharge.

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner/Operator First Name (please print or type)

MI

____/____/____
Date

Owner/Operator Last Name (please print or type)

Owner/Operator Signature

APPENDIX J

QUARTERLY VISUAL MONITORING FORM

625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 **Fax:** (518) 402-9029

Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (GP-0-12-001)

Permit Number

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[illegible]

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[illegible][illegible]

	/				
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--

☐ Yes ☐ No

☐ Rainfall ☐ Snowmelt

--	--

 /

--	--

 /

--	--

--	--

:

--	--

 AM / PM

--	--	--

AM / PM

If yes, describe

If yes, which of the following best describes the clarity of the stormwater: ☐ Clear ☐ Milky ☐ Opaque

If yes, which best describes the sheen?..... ☐ Rainbow Sheen ☐ Floating Oil Globules

If yes, describe

5. Is there something floating on the surface of the sample? ☐ Yes ☐ No

If yes, describe

6. Is there something suspended in the water column of the sample? ☐ Yes ☐ No

If yes, describe

7. Is there something settled on the bottom of the sample?..... ☐ Yes ☐ No

If yes, describe

8. Is there foam or material forming on the top of the sample surface?..... ☐ Yes ☐ No

If yes, describe

Detail any concerns, corrective actions taken and any other indicators of pollution present in the sample:

Stormwater Examiner's Signature

APPENDIX K

LABORATORY REPORTS

APPENDIX L

CORRECTIVE ACTION FORM / NON COMPLIANCE EVENT FORM

625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 **Fax:** (518) 402-9029
Website: <http://www.dec.ny.gov/>

Corrective Action Form/Non Compliance Event Form

--	--	--	--	--	--	--	--	--

[illegible][illegible][illegible]

-

-

[illegible]

Number of attachments included:			
---------------------------------	--	--	--

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature _____

1. Parameter/Pollutant of Concern Exceeded:

2. Outfall No.:

3. Date of Exceedance:

4. Permitted Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

5. Reported Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

6. Is the Parameter/Pollutant of Concern exceeded subject to quarterly compliance monitoring for discharges to impaired waterbodies?

☐ Yes ☐ No

If No, provide Corrective Action Sample information below. If Yes, your next quarterly sample can be used as your Corrective Action Sample.

7. Corrective Action Sample Date:

8. Corrective Action Sample Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

9. Have you claimed this outfall as a Representative Outfall? ☐ Yes ☐ No

If Yes, Corrective Actions must be must be completed for all outfalls claiming the Representative Outfall Waiver.

10. Describe the exceedance and its cause(s):

11. Describe the Corrective Action(s) taken to address the exceedance:

12. Describe the preventative (long term) Corrective Action(s) taken (including any SWPPP modifications) to prevent a future exceedance:

1. Parameter/Pollutant of Concern Exceeded:

2. Outfall No.:

3. Date of Exceedance:

4. Permitted Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

5. Reported Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

6. Is the Parameter/Pollutant of Concern exceeded subject to quarterly compliance monitoring for discharges to impaired waterbodies?

☐ Yes ☐ No

If No, provide Corrective Action Sample information below. If Yes, your next quarterly sample can be used as your Corrective Action Sample.

7. Corrective Action Sample Date:

8. Corrective Action Sample Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs9. Have you claimed this outfall as a Representative Outfall? ☐ Yes ☐ No

If Yes, Corrective Actions must be must be completed for all outfalls claiming the Representative Outfall Waiver.

10. Describe the exceedance and its cause(s):

11. Describe the Corrective Action(s) taken to address the exceedance:

12. Describe the preventative (long term) Corrective Action(s) taken (including any SWPPP modifications) to prevent a future exceedance:

1. Parameter/Pollutant of Concern Exceeded:

2. Outfall No.:

3. Date of Exceedance:

4. Permitted Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

5. Reported Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs

6. Is the Parameter/Pollutant of Concern exceeded subject to quarterly compliance monitoring for discharges to impaired waterbodies?

☐ Yes ☐ No

If No, provide Corrective Action Sample information below. If Yes, your next quarterly sample can be used as your Corrective Action Sample.

7. Corrective Action Sample Date:

8. Corrective Action Sample Value:

Units: ☐ mg/L ☐ ng/L ☐ ug/L ☐ s.u. ☐ NTUs9. Have you claimed this outfall as a Representative Outfall? ☐ Yes ☐ No

If Yes, Corrective Actions must be must be completed for all outfalls claiming the Representative Outfall Waiver.

10. Describe the exceedance and its cause(s):

11. Describe the Corrective Action(s) taken to address the exceedance:

12. Describe the preventative (long term) Corrective Action(s) taken (including any SWPPP modifications) to prevent a future exceedance:

APPENDIX M

REPORT OF NONCOMPLIANCE EVENT

SECTION 1



New York State Department of Environmental Conservation
Division of Water



Report of Noncompliance Event

To: DEC Water Contact _____ DEC Region: _____

Report Type: ☐ 5 Day ☐ Permit Violation ☐ Order Violation ☐ Anticipated Noncompliance ☐ Bypass/Overflow ☐ Other

SECTION 2

SPDES #: NY-_____ Facility: _____

Date of noncompliance: ____ / ____ / ____ Location (Outfall, Treatment Unit, or Pump Station): _____

Description of noncompliance(s) and cause(s): _____

Has event ceased? (Yes) (No) If so, when? _____ Was event due to plant upset? (Yes) (No) SPDES limits violated? (Yes) (No)

Start date, time of event: ____ / ____ / ____, ____ : ____ (AM) (PM) End date, time of event: ____ / ____ / ____, ____ : ____ (AM) (PM)

Date, time oral notification made to DEC? ____ / ____ / ____, ____ : ____ (AM) (PM) DEC Official contacted: _____

Immediate corrective actions: _____

Preventive (long term) corrective actions: _____

SECTION 3

Complete this section if event was a bypass:

Bypass amount: _____ Was prior DEC authorization received for this event? (Yes) (No)

DEC Official contacted: _____ Date of DEC approval: ____ / ____ / ____

Describe event in "Description of noncompliance and cause" area in Section 2. Detail the start and end dates and times in Section 2 also.

SECTION 4

Facility Representative: _____ Title: _____ Date: ____ / ____ / ____

Phone #: (____) _____ - _____ Fax #: (____) _____ - _____

I Certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

X

Signature of Principal Executive
Officer or Authorized Agent

INSTRUCTIONS

The Division of Water developed this standardized form to simplify the reporting of noncompliance events. The SPDES Permit General Conditions, require that certain discharges of untreated or partially treated sewage must be reported orally within either 2 hours¹ or 24 hours and also in writing within five (5) days as required by the appropriate regulation. All other permit noncompliance shall be reported as attachments to the Discharge Monitoring Report (DMR). This form should be used for these events as well as to report noncompliance relating to consent orders, scheduled events and bypass events.

All necessary information can readily be reported to DEC on this form. Additional information required to describe the event can be attached. **Please make additional copies of this form and use as needed.** Instructions are provided below. For questions on form use please contact the appropriate office listed below for the county where your permitted facility is located. Thank you for your cooperation.

Instructions to complete and submit Noncompliance Report

1. Provide facility information and all applicable event details in Sections 1 through 3. Dates should be completed in month/day/year format.
2. Provide your name, title, business phone number, and date report was completed in Section 4. Use additional sheets as needed to provide full detail of the event in Section 2.
3. For 5-day written reports, mail or fax the completed form to the appropriate DEC Regional Office listed below. Attach all other noncompliance reports to the DMR submittal (be sure to attach to each set of DMR copies) or mail separately if related to consent order/scheduled event noncompliance. After hours and weekend reporting of unusual discharge events of other noncompliance must be reported through the DEC Telephone Hotline, which is 1-800-457-7362.

DEC Regional Offices:

<u>REGION 1</u> Regional Water Engineer NYS SUNY , Bldg. 40 Loop Road Stony Brook, NY 11790-2356 Phone: 631-444-0405 Fax: 631-444-0373 Counties: Nassau Suffolk	<u>REGION 2</u> Regional Water Engineer One Hunters Point Plaza 47-40 21st St. Long Island City, NY 11101-5407 Phone: 718-482-4900 Fax: 718-482-6516 Counties: Queens Bronx New York Richmond Kings	<u>REGION 3 **</u> Regional Water Engineer 21 So. Putt Corners Rd New Paltz, NY 12561-1696 Phone: 845-256-3000 Fax: 845-255-0714 Counties: Sullivan Orange Ulster Putnam Westchester
<u>REGION 4</u> Regional Water Engineer 1150 North Westcott Rd. Schenectady, NY 12306-2014 Phone: 518-357-2045 Fax: 518-357-2398 Counties: Montgomery Albany Otsego Rensselaer Columbia Delaware Schoharie Greene Schenectady	<u>REGION 5 **</u> Regional Water Engineer Route 86, P.O. Box 296 Ray Brook N.Y. 12977-0296 Phone: 518-897-1241 Fax: 518-897-1245 Counties: Clinton Hamilton Franklin Essex Saratoga Warren Fulton Washington	<u>REGION 6 **</u> Regional Water Engineer Region 6 Suboffice State Office Bldg. 207 Genesee St. Utica, NY 13500 Phone: 315-793-2554 Fax: 315-793-2748 Counties: Herkimer Oneida St. Lawrence Lewis Jefferson
<u>REGION 7</u> Regional Water Engineer 615 Erie Blvd West Syracuse, NY 13204-2400 Phone: 315-426-7506 Fax: 315-426-7402 Counties: Madison Cayuga Broome Onondaga Oswego Chenango Tioga Tompkins Cortland	<u>REGION 8</u> Regional Water Engineer 6274 East Avon-Lima Rd Avon, NY 14414-9519 Phone: 585-226-2466 Fax: 585-226-2830 Counties: Orleans Genesee Chemung Schuyler Seneca Livingston Steuben Ontario Monroe Wayne Yates	<u>REGION 9</u> Regional Water Engineer 270 Michigan Avenue Buffalo, NY 14203-2999 Phone: 716-851-7070 Fax: 716-851-7009 Counties: Cattaraugus Niagara Wyoming Chautauqua

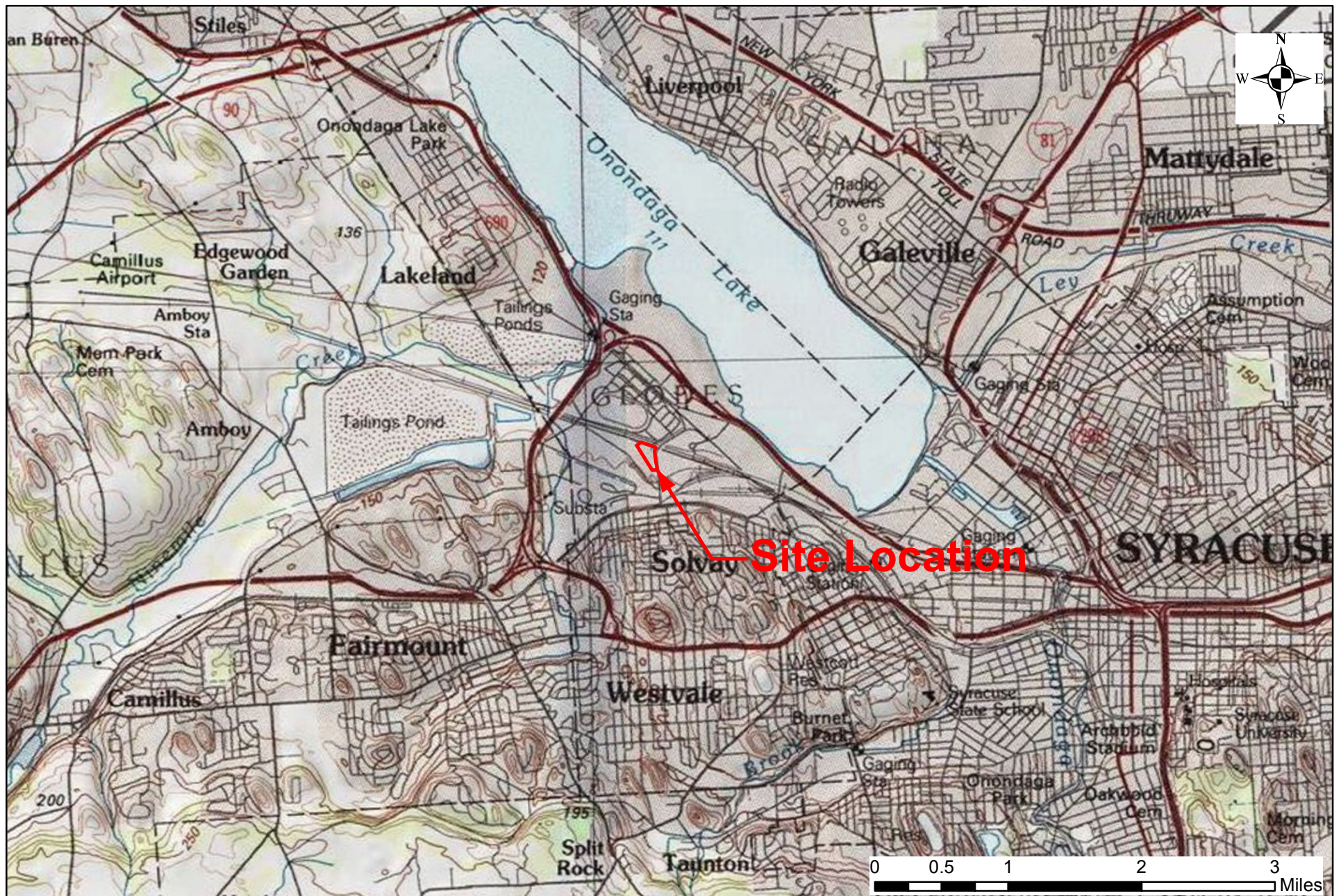
**** REGION 3 Suboffice**
Regional Water Staff
200 White Plains Rd., 5th Floor
Tarrytown, NY 10591-5805
Phone: 914-332-1835
Fax: 914-332-4670

REGION 5 Suboffice
Regional Water Staff
Box 220, Hudson St Extension
Warrensburg, NY 12885-0220
Phone: 518-623-1200
Fax: 518-623-4193

REGION 6 Suboffice
Regional Water Staff
317 Washington St.
Watertown, NY 13601-3787
Phone: 315-785-2513
Fax: 315-785-2422

¹ This requirement reflects proposed pending regulations.

FIGURES



**PLUMLEY
ENGINEERING**

Civil and Environmental Engineering

PLUMLEY ENGINEERING, P.C.
8232 LOOP ROAD
BALDWINVILLE, NY 13027
TELEPHONE: (315) 638-8587
FAX: (315) 638-9740
WWW.PLUMLEYENG.COM

PROJECT: **BEN WEITSMAN OF SYRACUSE, LLC**
CLIENT: BEN WEITSMAN OF SYRACUSE, LLC
LOCATION: TOWN OF GEDDES, ONONDAGA COUNTY, NEW YORK

TITLE: **SITE LOCATION MAP**
PROJECT No.: 2012062
DATE: SEPTEMBER 2012

Figure No:

1

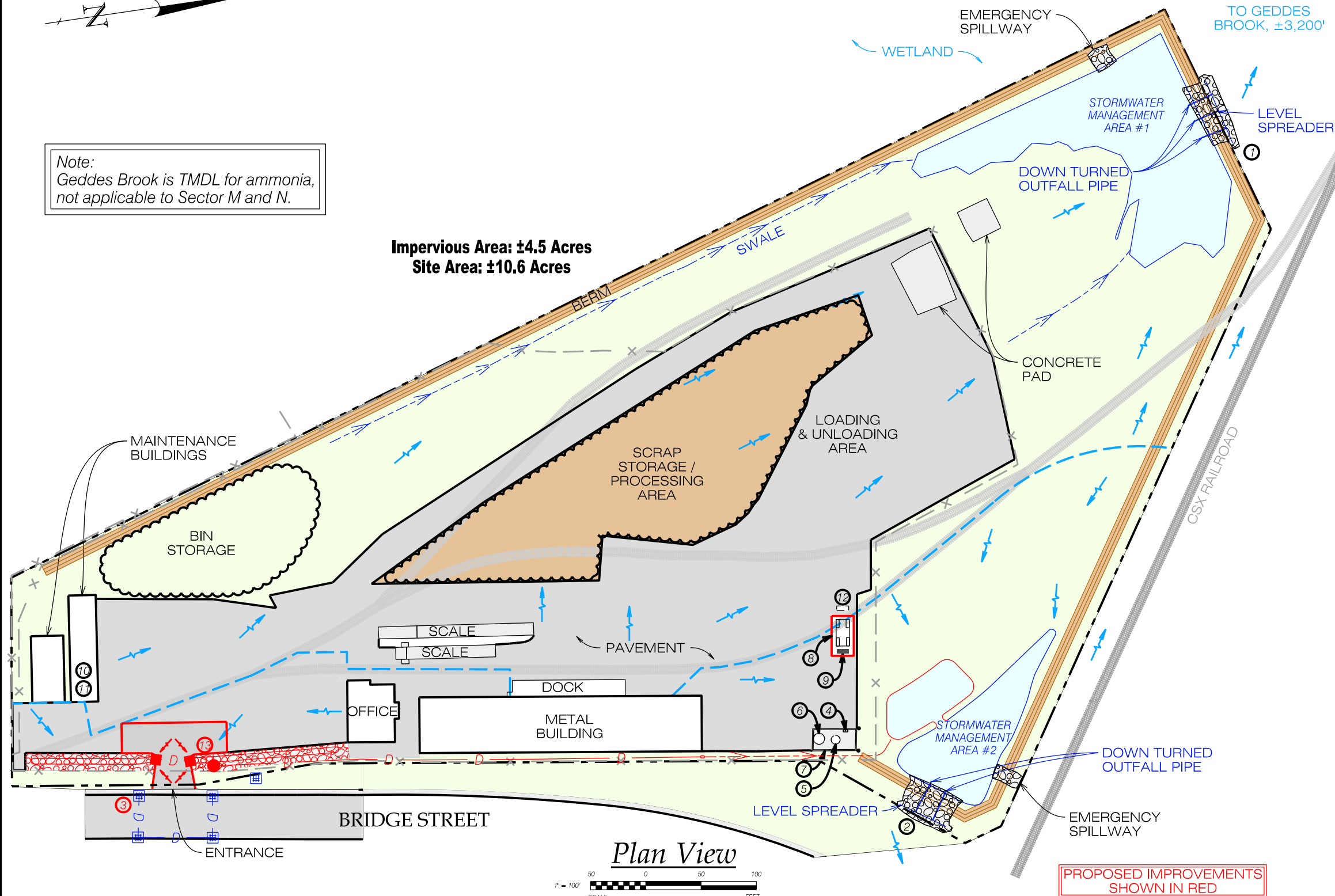
Key

- Property Line
- x — Fence
- ▬ Railroad Track
- Existing/Proposed Catch Basin
- Over Land Flow Direction
- - - Drainage Divide
- ① Outfall 001 Sheet Flow to Railroad Drainage Ditch Then Geddes Brook
- ② Outfall 002 Sheet Flow to Railroad Drainage Ditch Then to Geddes Brook
- ③ Outfall 003 to the Town of Geddes MS4 (Eliminated by Entrance Improvements)
- ④ Dispenser
- ⑤ 1,000-Gallon Diesel (Double Wall Tank) (Tank #004)
- ⑥ 2,000-Gallon Diesel (Double Wall Tank) (Tank #005)
- ⑦ Concrete Containment Pad
- ⑧ Enviro-Rack Building w/ Steel Dike
 - 180-Gallon Gasoline Tank (Tank #008)
 - 180-Gallon Gasoline Tank (Tank #009)
 - 180-Gallon Used Oil Tank (Tank #010)
- ⑨ 1,000-Gallon Used Oil (Double Walled Tank) (Tank #011)
- ⑩ 250-Gallon Lube Oil (Tank #13)
- ⑪ 250-Gallon Hydraulic Oil (Tank #14)
- ⑫ 1,000-Gallon Gasoline (Double Walled Tank) (Tank #015)
- ⑬ Updated Grading/Stormwater Collection to Direct Runoff to SMA #2



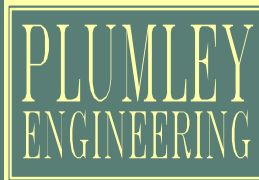
Note:
Geddes Brook is TMDL for ammonia,
not applicable to Sector M and N.

Impervious Area: ±4.5 Acres
Site Area: ±10.6 Acres



Plan View

1" = 100'
SCALE 0 50 100 FEET



Civil and Environmental Engineering

PLUMLEY ENGINEERING, P.C.
8232 LOOP ROAD
BALDWINVILLE, NY 13027

TELEPHONE: (315) 638-8587
FAX: (315) 638-9740
WWW.PLUMLEYENG.COM

REVISIONS:	DATE:	BY:
△ SITE PAVING / GRADING / FENCE.	06/30/14	DRV
△ TANK UPDATE.	11/04/14	DRV
△ ENVIRO-RACK BUILDING.	11/13/14	DRV
△ TANK UPDATE.	04/02/15	DRV
△ ADDED TANK #15.	04/07/16	DRV
△ TANK UPDATE.	05/11/17	DRV
△ ENTRANCE DRAINAGE & ENVIRO-RACK BUILDING.	09/13/17	DRV

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PROJECT:

BEN WEITSMAN OF SYRACUSE, LLC

DWG. TITLE:

SITE PLAN

CLIENT:

BEN WEITSMAN OF SYRACUSE, LLC

LOCATION: TOWN OF GEDDES, ONONDAGA COUNTY, NEW YORK

Note: No alteration permitted hereon except as provided under Section 7209 Subdivision 2 of the New York State Education Law.

PROJECT No.: 2012062

FILE NAME.: EV01P

SCALE: AS NOTED

DATE: SEPT. 2012

ENG'D BY: DRV

DRAWN BY: JMD

CHECKED BY: DRV

SHEET NO.:

FIGURE 2

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